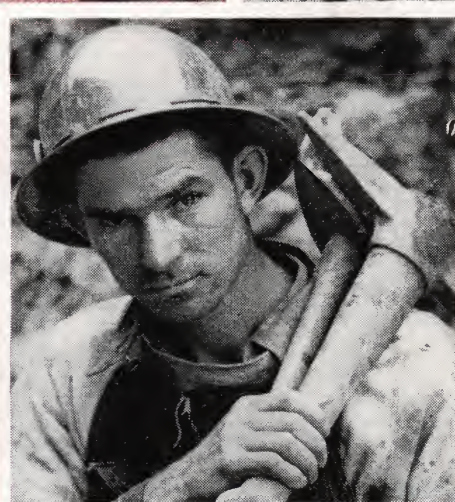
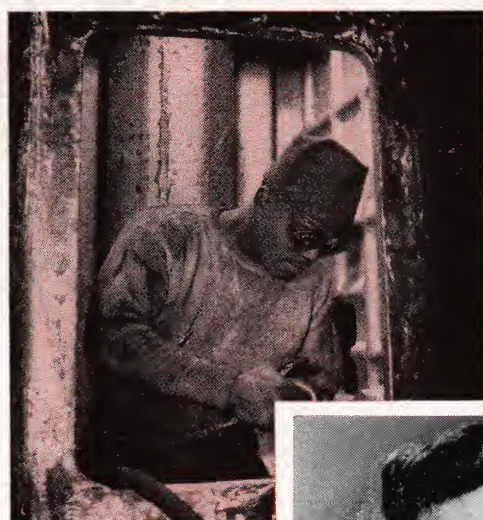
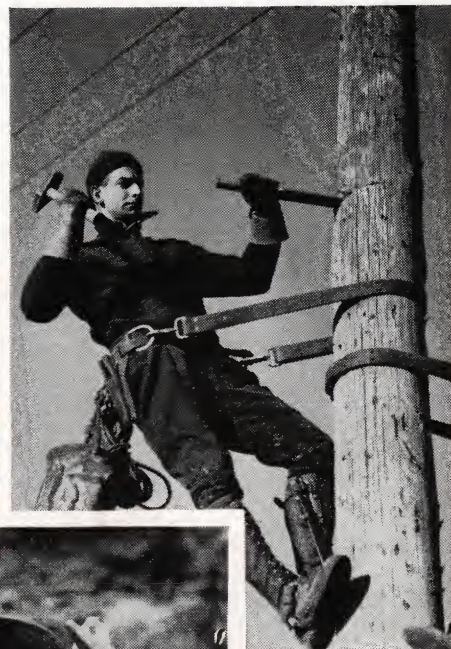
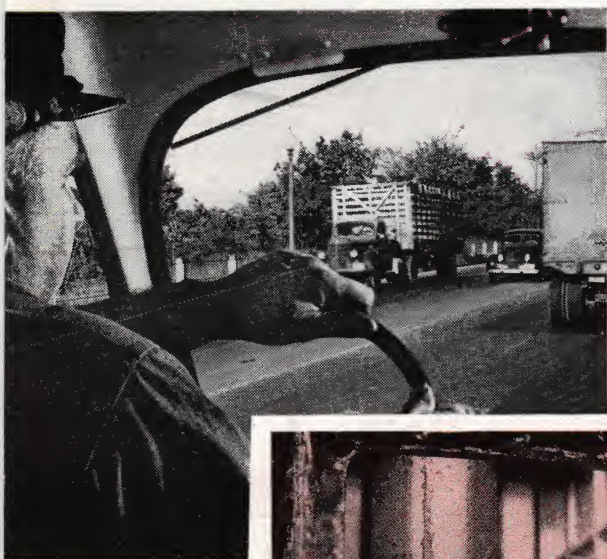


THE INTERNATIONAL  
*Teamster*  
DEDICATED TO SERVICE

OCTOBER 1959



**The  
Real  
Story**

**THE LABOR BILL  
AND THE WORKER**





**C**ANADA, a self-governing member of the British Commonwealth, has only begun to realize the ultimate utilization of its great potentials; its economic and social progress, historically speaking, has just begun.

First visited by Norsemen around 1,000 A. D., it was originally settled by the French. For a brief period they successfully contended with the British, defeating expeditions led by such stalwarts as George Washington and Gen. Edward Braddock. Eventually the British triumphed; the decisive battle was fought outside Quebec in 1759 when Wolfe defeated Montcalm. When the American Revolution erupted, thousands of Loyalists emigrated to Canada. This first chance to unite the Canadian French with the revolutionaries failed, as did a second during the War of 1812. Otherwise the U. S. and Canada might be one nation today.

Social and economic progress went on apace until

**the teamsters salute**



# CANADA



1931 when the Statute of Westminster declared Canada to be "equal and in no way subordinate" to England. It is governed by a Governor General appointed by the reigning British monarch on recommendation of the Canadian government consisting of a Parliament of two houses, Senate and House of Commons, sitting at Ottawa, the capital. There are ten Provinces, comparing to U. S. states. The land area is 3,619,616 square miles with an estimated 1957 population of 16,420,000. The density is 4.5 per square mile, about equal to Montana's.

The fur trade which promoted explorations continues to be important, as are fishing, cattle, mining of minerals and petroleum, wheat, lumbering and, lately, uranium. Wood pulp and paper-making and industrial chemicals are vital manufactures. The beautiful mountains also supply abundant hydroelectric power. The U. S. is Canada's best customer, taking 59 per cent of her trade. The 3,986-mile boundary between the nations, unfortified for more than 100 years, is the world's longest.

Canada's vast network of good roads lead to some of the world's most spectacular scenery and outdoor recreation areas and also serve the burgeoning industries. Aiding in this endeavor are the 37,900 Teamster members in Canada, whose number is constantly growing. *The International Teamster* is proud to salute Canada, the new frontier of progress and achievement!



# A MESSAGE TO THE AMERICAN WORKER

**L**IVING and working under the Kennedy Strike-breaking Bill just passed by Congress, you will find out what has really happened to you.

► Your fellow citizens have been victimized by the propaganda mills of big business, aided by their willing accomplices, the nation's publishers.

These propaganda mills have shouted "labor corruption" so loud and long that few have bothered to question how false witness and innuendo have distorted the truth.

While this bill was supposed to be aimed at so-called "corruption," in fact corruption was not and has never been the issue.

This bill is aimed at the jugular vein of the American labor movement: the right of workers to aid each other in their fight for economic justice.

► Many of your fellow workers have been sold out by those so-called "labor leaders" who joined the witch-hunt in a desperate effort to preserve or to win a "good name" at the expense of the worker.

The collapse of the AFL-CIO in the face of this menacing legislation resulted from the uncertainty and panic of certain individuals who made their deals long ago and felt betrayed by the turn of events.

These individuals played the game of the labor-haters out of fear and confusion, and by cooperating in the strategy of "divide and conquer," they helped bring havoc to the house of labor.

► You have been dishonored by those whom you elected to Congress in 1958, when you defeated those candidates with anti-labor platforms, and sent the so-called "right-to-work" laws down to resounding defeat.

All but 52 Congressmen turned upon you because they believed that your vote was not as important as the support of big business and its lackey press.

Now the labor-haters, led for the past three years by McClellan of Arkansas and the two rich Kennedy boys, believe that they have devised a law which will turn one worker against the next, and force one union to break the strike of another.

It is yet too early to say how far the ramifications of this bill will go. Much will be left to the courts to decide.

But it is certain that the labor-haters hope, by outlawing "hot cargo" and secondary boycott, to destroy the historic solidarity of the organized worker.

I cannot tell you what will finally happen. I can tell you that the Teamsters will operate within the law. If that requires us to break the strike of another union, then the name of Kennedy must live in infamy in the minds of those who toil for the necessities of life.

But this I pledge to the American worker: we in the Teamsters Union shall do all that the ingenuity of man, operating within the law, can devise in order to uphold the highest traditions of the trade union movement.

The American worker will not long tolerate a situation in which he must break the strike of another. If the law is finally adjudged to mean that, then he will rise up in the free and orderly democratic process and change that law.

The American worker will not long abide by a requirement that he may not aid another worker in his fight for what is his due. If the law means this, he will change it, too.

No longer may anyone say that "labor does not belong in politics." Politics has struck down the labor movement severely in this year of 1959, and it must be through political action that we strike back.

You, the American worker, are the target of the most concentrated attack by big business in three decades.

The wealthy and privileged believe they now have the weapons they need to restore the sweatshop days of giant profits and oppression of workers.

They are out to defeat you by destroying your unions.


Political action is one way to preserve your way of life against those who would take it away.

Unswerving loyalty to the high traditions of the trade union movement, insofar as the law permits, is the other.

Fraternally yours,

**JAMES R. HOFFA**  
General President  
International Brotherhood  
of Teamsters





# FROM *the* FIELD

## **Local 168 Member Wins High Honor**

Teamster Hyman Rosen was elected National Commandant of the Marine Corps League at their recent convention in Buffalo, N. Y. It is the highest honor a former Marine can receive.

Teamster President James R. Hoffa saluted Rosen in a letter to the Marine Corps League. He said: "This is a signal honor for Brother Rosen, and he is to be highly commended for having earned it."

Rosen is a member of Teamsters Local 168 in Boston, Mass.

## **Teamster Protests Newspaper Treatment**

Teamster Henry Schmidt took the powerful New York Daily News to task last month for not giving fair, objective news coverage to Teamsters President James R. Hoffa.

"I've been reading the News for years and I've found out you're the fairest paper there is, so how about printing (they did) this side of the story," Schmidt began:

"I'm a Teamster. My salary is \$107.20 for a 40-hour week (\$5600 annually, not including overtime); my dues are \$4.00 a month.

"For all my city, state and Federal taxes, I get nothing but Congressmen's families on payrolls, a vacationing President and Governors and so forth.

"But for my \$4.00 dues, I get three weeks vacation a year; 11 paid-holidays; \$5,000 life insurance; paid hospital bills for everyone in my family; free dental checkup every two years; and new eyeglasses free.

"Now where on earth can a man my age (55) get all this for \$4.00 a month dues? Compared with some of

## **Central Conference Schedules Session**

The Central Conference of Teamsters will hold a four-day meeting November 2-6 at the Sheraton-Cadillac Hotel in Detroit, Mich. according to an announcement by Teamsters President James R. Hoffa.

Hoffa, who is also Chairman of the Conference, stated that each Local Union and Joint Council is entitled to two delegates, one of whom is the principal business agent of the Local or the Joint Council. The other delegates are elected from the employed officers or business agents of the Local, and from the executive board or paid employees of the Joint Council.

our public servants, I'll take James R. Hoffa anytime," Schmidt concluded.

## **IAM Unhappy With AF Secretary**

President Eisenhower's new Under Secretary of the Air Force believes that the American labor movement "threatens the American way of life" it was disclosed last month.

The International Association of Machinists protested to Eisenhower, without success, the union-busting activities of Dudley Sharp, the new Under Secretary of the Air Force.

The Machinists have been on strike against Sharp's Mission Manufacturing Company since early July. Sharp along with other company officials have been scabbing against the striking Machinists.

The Machinists wrote Eisenhower

last month, stating: "We do not believe that it is your policy or the policy of your Administration to have officials designated by you perform as strike-breakers while our members are on strike.

"It further should be pointed out that Mr. Sharp has stated that unions threaten the American way of life and that he is in opposition to such organizations. Again we do not believe it is your policy or the policy of your Administration to condone such remarks made by officials appointed by you."

## **Teamster Responds To Congressman's Ire**

After two years and over a million dollars of the American taxpayers money, the anti-labor McClellan Committee proved that there are a few crooks in the labor movement, "and that Jimmy Hoffa is a good labor leader and a 'gutty' individual."

So wrote Louis Mendez of New York Teamsters Local 282 to his Congressman, Stuyvesant Wainwright, last month. Wainwright voted for the vicious Landrum-Griffin bill.

Mendez's wrath arose after Wainwright complained that the Carpenters Union withdrew an invitation for him to address a labor rally.

Mendez told the Congressman very frankly: "You felt very much put out because the Carpenters Union rescinded their invitation for you to appear at a Patchogue labor rally as guest speaker.

"Did you really expect them to roll out the 'red carpet' for you after you voted in favor of the Landrum-Griffin bill?

"You have in the past asserted that you are a champion of labor. How can you call yourself a champion, and then go to Washington and approve such a punitive and restrictive measure as that bill is?

"Evidently, you just had to follow the party line. To any right-thinking laborman, that bill is nothing but a lethal weapon placed in the hands of management for use against the worker.

"The pressure put on you and others by the National Association of Manufacturers must have been tremendous, and I can well understand your taking the easy way out by approving the bill.

"However, now that the damage is done and you have cast your lot, can you truthfully refer to yourself as a friend of the worker?"



# THE INTERNATIONAL *Teamster* DEDICATED TO SERVICE

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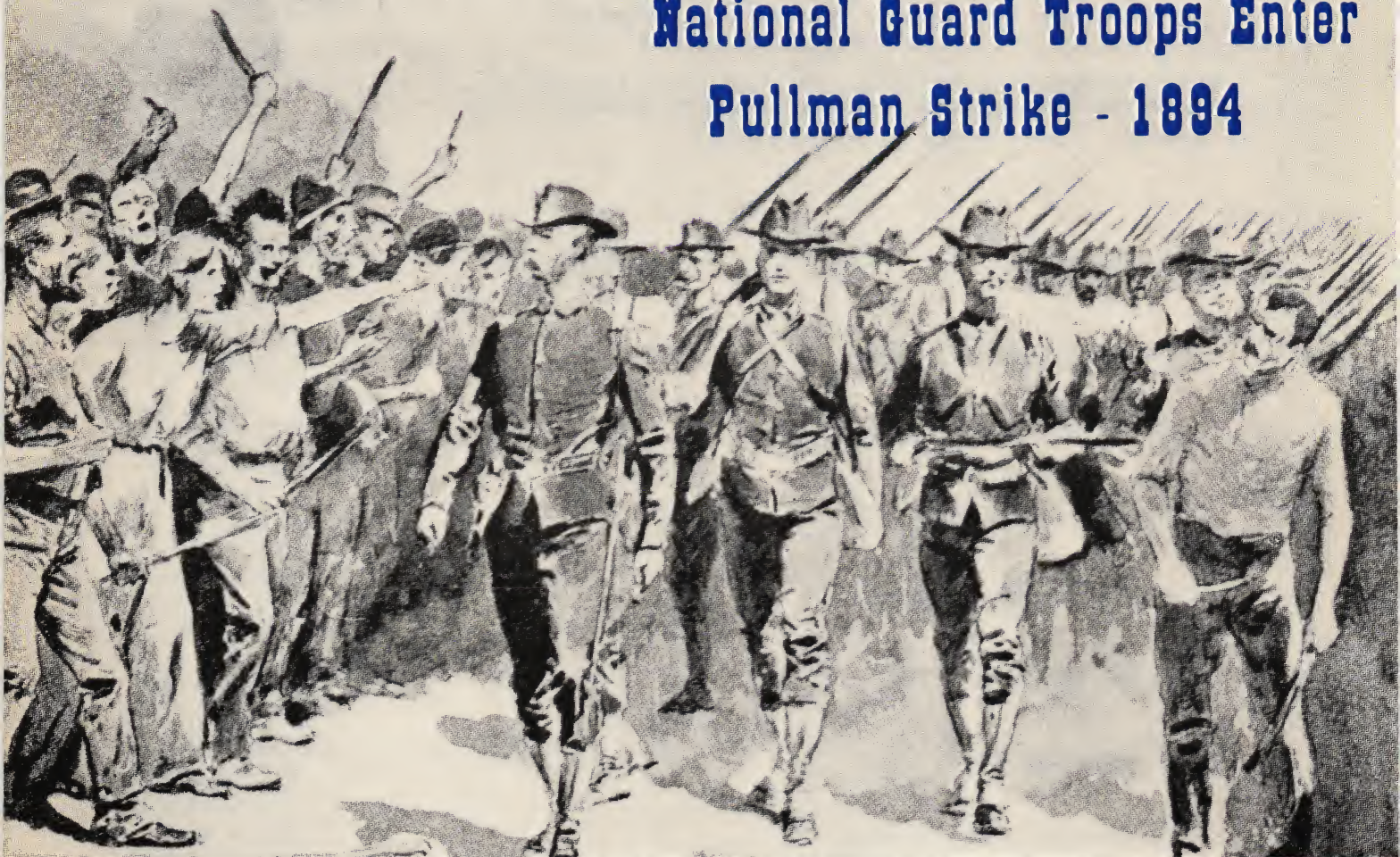
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## National Guard Troops Enter Pullman Strike - 1894



## THE LABOR BILL AND THE WORKER

**T**HE labor movement may face an era of strikebreaking more deadly than the fink-filled days of the 30's.

Passage of the labor-killing Kennedy-Landrum-Griffin Bill came in early September when the Democratic Party took a walk on the labor movement.

The panic vote was 95 to 2 in the Senate and 352 to 52 in the House. Only Senators Morse (D., Oreg.) and Langer (R., N. Dak.) stood their ground against the propaganda bombardment from the nation's employers and publishers.

Months and years of litigation will ensue before the full implications of this bill are clear.

Attorneys for labor are now analyzing it section by section to see which, if any, of labor's historic rights may be salvaged. Management attorneys are equally interested in how this bill may best be used to destroy labor's hard-won gains of recent years.

But it is certain that one of the major invasions of labor's sacred rights involves the very right to respect picket lines.

So uncertain is the intent of Congress, and so restrictive is the language of the bill, that management lawyers will argue that the Kennedy-Landrum-Griffin Bill knocks out the legality of the picket-line clause.

If this view were upheld in the

courts, the bill would mean that America's workers could respect picket lines in many traditional situations only at the peril of losing their jobs. The bill would thus handcuff labor organizations in any effort to protect workers in the exercise of this right.

Labor attorneys would argue that such an interpretation was not meant by the law. In the meantime, until court decisions clarify the situation, advice of attorneys would have to be followed in individual situations.

Court decisions will also be needed to define the full impact of this bill in other areas, such as the right to protest against unfair conditions.

But it is clear that the bill's intent



is to put a severe dent into labor's organizing potential, and lay open the labor movement to harassment unknown in modern times.

Pending the outcome of months and years of litigation, here at quick glance are the implications of the Kennedy Strikebreaking Bill:

1) It outlaws all "express or implied" agreements between a union and an employer whereby that employer refuses to handle struck goods.

The phrase "implied" could be held to outlaw the customary and traditional picket line clause under which employees are protected from discharge if they respect the picket lines of their own or other unions.

This is so because when an employer agrees that his employees need not cross a picket line to handle, transport, or work on the goods of a struck employer, that agreement may be construed by unfriendly courts as an implied agreement with the union not to handle such unfair goods.

Even the fact that an employer accepts the refusal by one of his employees to cross a picket line, without discharging him, could be held by the courts to be an "implied" agreement to engage in secondary boycott.

#### Basic Right in Jeopardy

If this proves to be so—and only future litigation can tell—then the most basic of labor's rights, the right to respect picket lines, will have been overturned.

2) The bill outlaws "hot cargo" agreements whereby an employer agrees through collective bargaining to refrain from handling unfair or struck goods. This provision strikes down one of the labor movement's most basic principles—that of mutual aid or assistance.

The ability of unions in one trade or industry to assist unions in another trade or industry has thus been jeopardized.

This means that labor's ability to fight against substandard or cut-rate wage conditions has been severely diminished.

In time, it means that these substandard conditions can destroy the hard-won gains of the labor movement, and labor has no recourse.

It means that the worker must aid and abet non-union or struck employers in their effort to destroy or lessen another worker's standard of living, and eventually his own.

3) No longer may the worker picket a non-union plant in an effort

to bring union conditions to its workers and thus protect his own standards, unless his union has filed for an election within 30 days.

#### Picketing Restricted

The bill virtually outlaws all picketing of an employer where the picketing is for the sole purpose of informing the public of the existence of substandard conditions or the fact that an employer does not employ union members.

While the law states that "advertising picketing," used simply to tell the public that an employer does not employ union members or operate under a union contract, is valid, a further proviso might well destroy that right.

This additional proviso could mean that such advertising picketing shall be unlawful if it has the effect of inducing even a single person to respect the picket line.

Once again, the act strikes down one of labor's most treasured rights

and outlaws one of the principal means by which workers have been able to organize the unorganized and thus resist the threat to union standards offered by substandard wages or job conditions.

4) Picketing a non-union employer for recognition, where no other union has been recognized, is limited to 30 days under the new law, unless an election petition is on file. This places restriction upon labor and gives a powerful weapon to the employer who wishes to defeat an organizing attempt.

As of now, the greatest bar to organizing non-union workers is the worker's fear of the employer—his fear that his interest in the union will be discovered and he will be discharged on some false pretense.

This provision will heighten this fear, because for all practical purposes it prohibits an organizational picket line to protect such workers.

If the union cannot exert enough economic pressure to require recogni-



THE TEAMSTER

"This will be known as the year the Yankees lost the pennant and the Democrats lost the labor vote."



tion within 30 days of establishing a protest picket line, or if it has not had enough time to organize enough workers to secure an election, it has lost the battle, the worker has lost his job permanently, and the employer has discovered a mighty club with which to defeat all future organizing attempts.

5) The bill opens the door for employers to perpetuate substandard conditions by inviting the enactment of "sweetheart" or "back door" agreements.

The bill outlaws picketing of a company where the employer has an agreement with or has recognized some other union.

This means that a legitimate union, attempting to organize non-union employees, may be thwarted by the simple device of the employer recognizing some "stooge" union.

#### Wide Use Seen

This is a device of which non-union employers will make wide use, and will have the effect of weakening the worker's economic position considerably.

6) Anti-labor courts may hold that the bill prohibits picketing of a retail store or other place of business where the goods or products of a struck employer are being sold or handled.

In former times, workers on strike were permitted to encourage the public, through the use of a picket line, to boycott the goods of their struck employer. Under such a court ruling, this would no longer be possible.

In terms of encouraging consumer or product boycotts by means other than picket line, such as unfair lists, even this may be outlawed if it can be

### Not Enough \$ \$

The passage of the Kennedy strikebreaking labor bill was a bit expensive for management who shelled out \$855,538 in reported funds for lobbying between January and June. Labor groups spent \$396,265 to defeat repressive labor legislation and lost by nearly a half million dollars.

shown that such advertising had the effect of inducing non-involved workers not to handle such unfair goods.

7) It may be held that union workers may no longer picket self-employed persons, such as barbers or independent truck drivers, to require them to join a union.

8) Workers trying to organize in fields where the National Labor Relations Board refuses to take jurisdiction are now in for a bad time.

#### Go to State Courts

Such cases will now be handled in state courts under state laws.

This means that in anti-labor areas such as the South, conservative judges operating under conservative laws can deal savage blows to labor's efforts to organize those areas.

This also has severe ramifications for workers in the industrialized, organized North. It means that employers will be enticed to the South in an effort to get out from under union conditions, to escape unionization, and to take advantage of wages and poor employment conditions.

9) Such provisions strike at the

very heart of labor's historic right to concerted action and mutual assistance.

But other provisions strike at union efficiency and lay open the trade union movement to harassment by government agencies, courts, and company lawyers.

Complicated reporting provisions will require unions of all sizes to hire accountants and lawyers to make sure they are in compliance. A union's officers, required to sign such reports, are *personally* responsible for their contents.

In small local unions (68% of the AFL-CIO local unions have 200 members or less) business agents will necessarily spend more time doing paper work and less time servicing the membership.

10) The Kennedy Strikebreaking Bill also puts a dangerous weapon into the hands of union-hating prosecuting attorneys who often reflect the big-business thinking in their communities.

Under Title Five of the act, an officer who fights on behalf of his membership can be removed from office for five years. For example:

Among other crimes, an officer convicted of "assault which inflicts grievous bodily injury," or a *conspiracy* to commit such an act, can be barred from his job. In a picket line situation where tempers flare and violence suddenly occurs, zealous prosecutors will do all in their power to convict strong officers of "conspiracy" in the case, even though they may not have been in the vicinity at the time, nor had anything to do with the violence.

While all unions subscribe to the fact that the rights of their members are paramount, the inclusion of a so-called "Bill of Rights" in the bill will provide a heyday for the disgruntled, or disruption by company stooges.

#### Threat to Meetings

Meeting halls can be laid open to chaos and officers attempting to keep order do so under the threat of lawsuit and criminal prosecution. This provision alone can be a source of constant harassment and disturb the orderly processes of all labor organizations.

The bill promises to see a use of the hated anti-labor injunction to a degree unheard of since passage of the Norris-LaGuardia Act in 1932.

### Hatchet Job Done, Kennedy Quits

Bobby Kennedy, the young millionaire who brought McCarthyism to the labor movement, resigned last month as counsel to the union-busting McClellan Committee.

Kennedy, who served his apprenticeship as a staff member of the old McCarthy Committee, used many of the tricks of the late Senator Joseph R. McCarthy, including false testimony, innuendo and hearsay, in an attempt to destroy the labor movement.

In his letter of resignation to Sen. John L. McClellan, committee chairman, Kennedy boasted that the passage of the Kennedy-Landrum-Griffin Bill was "the purpose to which we have pointed two years of effort. This end purpose has been fruitfully realized."

Bobby's brother Jack, Senator from Massachusetts, was also a member of the McClellan Committee, and sponsored in the Senate the strikebreaking bill which bears his name.



Passage of the bill resulted from a failure of Democratic leadership, AFL-CIO inaction, a cynical civil rights deal between Southern Democrats and Republicans, and Senator John Kennedy's eagerness to be known as the "father of labor reform."

Big business and the Republican Party pulled out all stops in an effort to defeat the bill reported out by the House Labor Committee, which was a considerably milder bill.

President Eisenhower entered the fray, urging passage of the anti-labor Landrum-Griffin Bill introduced in the House.

On the key vote to substitute this

bill for the Committee bill, the vote was a narrow margin of 229 for Landrum-Griffin, and 201 for the Committee bill. (See September TEAMSTER for voting record.)

A House-Senate Conference Committee then went to work to draw up an acceptable labor bill on the basis of the Landrum-Griffin Bill and the Senate's Kennedy-Ervin Bill.

Senator Kennedy, anxious not to lose identity as author of the legislation, offered a so-called "compromise" which was 99% Landrum-Griffin, and a few percentage points worse in areas which Landrum-Griffin didn't even touch.

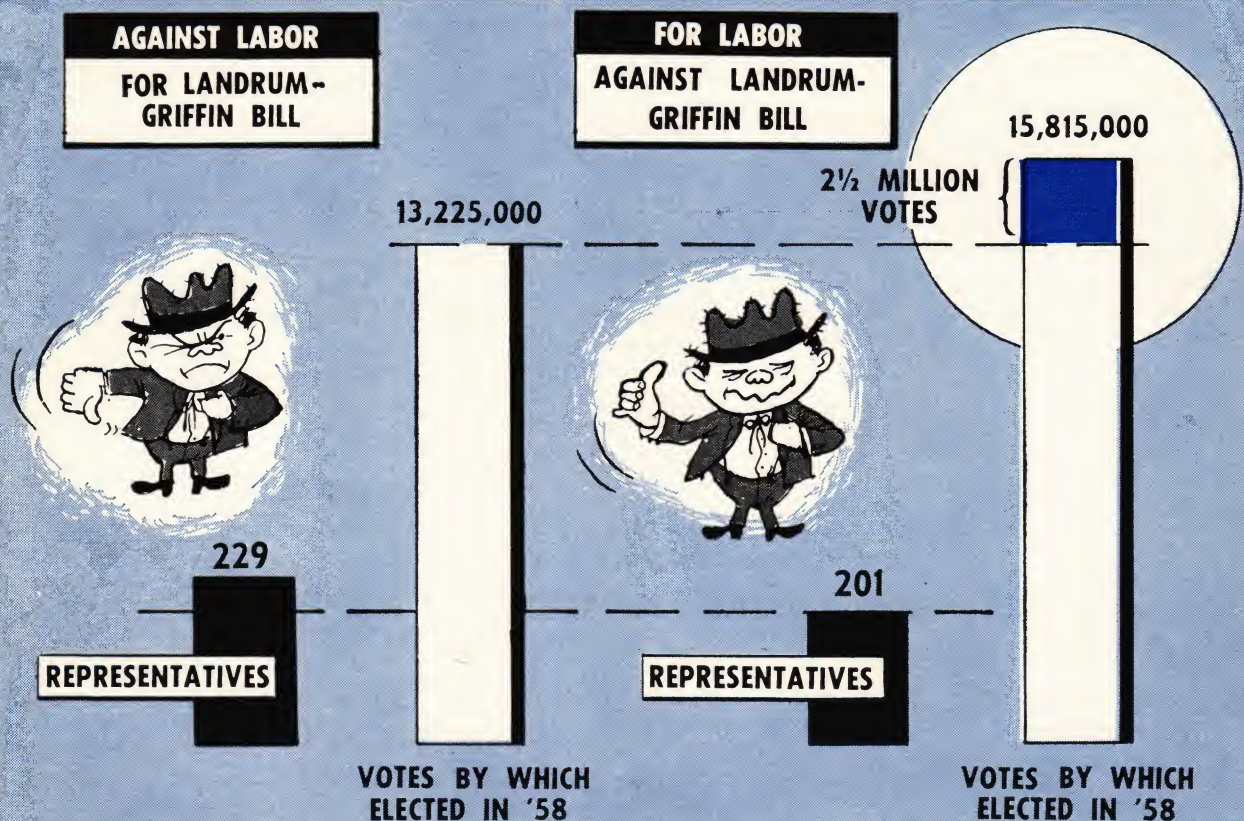
Congressmen Griffin (R., Mich.)

and Landrum (D., Ga.), representing the Republican-Southern Democrat coalition in the House, gratefully accepted Kennedy's so-called "compromise," as did the biggest labor-hater of them all, Senator Barry Goldwater (R., Ariz.)

Even Senator Pat McNamara (D., Mich.), a veteran labor leader before his election to the Senate and Walter Reuther's "man" in the Senate, who served on the Conference committee, failed to raise his voice in protest against the vivisection of labor.

Only Senator Wayne Morse (D., Ore.) refused to sign the conference committee report (see story on page 16).

## POPULAR VOTE STILL BACKED LABOR



The crucial vote in favor of the Landrum-Griffin Labor-Killing Bill was 229 to 201. Yet the 229 Congressmen in favor of destroying labor represented fewer voters than the 201 who opposed the bill (see chart). Thus the NAM-Chamber of Commerce-Newspaper line about 'popular demand' is found wanting.



**Here is  
the step  
by step  
story**

# HOW THE LABOR MOVEMENT LOST

**T**HE labor bill happened because the labor movement lost its guts. Labor sold its birthright for a mess of respectability. It wound up in bondage.

Here, step by step, is how it happened:

1) The McClellan Committee from the outset had for its purpose the destruction of the labor movement. Its tried and true formula: divide and conquer.

Committee Counsel Bobby Ken-

So the deal, spoken or unspoken, was made: Support the Kennedy labor proposals in return for immunity.

The Kennedys fought bitterly against any investigation of Walter Reuther. Last month, Bobby Kennedy assailed an abortive attempt by his own committee to look into Reuther's affairs, declaring publicly that he washed his hands of it and wanted to make it clear that neither he nor staff members under his direction had anything to do with it.

nedy, in his letter of resignation last month, reminded Chairman John Little McClellan of Arkansas that passage of the legislation was "the purpose to which we have pointed two years of effort." He said this purpose "has been fruitfully realized."

2) Selecting as its prime target the nation's strongest union, the Committee again resorted to time-worn technique. Eliminate the strongest, the rest will fall.

So it turned on the Teamsters. In its first big phoney flash—the Portland hearings—the Committee gave a sample of how it would operate: false witness, calumny, intellectual dishonesty. Most labor leaders crumpled in fear.

The Committee capitalized on this fear: cooperate in our attack on the Teamsters, or face the same yourselves. This blackmail was admitted at the AFL-CIO Convention which expelled the Teamsters, when Joseph P. McCurdy, president of the United Garment Workers, urged the delegates not to vote for expulsion simply because you "think that if you get up here and express your opinions you will be subject to being called before the McClellan Committee."

3) The Kennedy Boys saw a chance for some personal profit in all this. Substantial management support was a natural. But labor would be no trouble, either. Simply play upon the deep yearning for respectability evidenced by certain labor leaders, the Kennedys reasoned, and they would trade almost anything to keep their good name. These so-called leaders would even trade the welfare of the working man.

Senator Jack chimed in that it was a "monumental misuse of time."

**To date, Reuther has not raised his voice in a single word against the most punitive labor bill ever passed by Congress.**

George Meany got kid-gloves treatment from the Committee, which showed no interest in Meany's famous efforts to get his long-time associate, convicted extortionist Joey Fay, released from Sing Sing through direct intercession with high state officials.

In return, Meany led the AFL-CIO in a fawning support of Kennedy legislation for two years. When the groundswell from the labor bodies in the field became too great to ignore, Meany then made pious pronouncements for public consumption. But it is common knowledge on Capitol Hill that AFL-CIO lobbyists never took a strong stand against the restrictive legislation; told the Congressmen they were "off the hook" as far as the federation was concerned; and do not plan to list votes for the Kennedy-Griffin-Landrum Bill as "unfavorable to labor."

The best example of the AFL-CIO's failure can be seen from its official comment on the bill, which was no stronger than the following: "While we appreciate the efforts of the liberal conferees, we cannot, in honesty, cheer for a bill which makes Taft-Hartley worse."

4) With the AFL-CIO as patsies, McClellan Committee strategists had a clear field, and a natural outlet for the "Great News Hoax" that ensued.

The American people were subjected to the biggest snow job in history. Newspapers and networks are



as much big business as General Motors or General Electric, and publishers and network executives went into full operation.

The AFL-CIO voice of protest had been stilled, and there was no antidote for the poison press. From all sides came the outpouring of anti-labor propaganda. The Teamster President, James R. Hoffa, was selected as the symbol of all that was hated in the labor movement.

On the one hand, he was a "menace to the country, a threat to our economy." On the other, he "sold out the worker." The contradiction went unchallenged in every quarter but our own.

For more than two years, one man—Hoffa—took the most concentrated personal attack ever leveled by Congress against a single citizen.

The press, radio and television, fed almost daily by the Committee with the false testimony of prostitutes, dope addicts, former mental patients, union-hating employers, and "losers," galloped arm-in-arm with the Committee's efforts to destroy labor in a hysteria of unsubstantiated charges and sensational accusation.

In every single court case resulting directly from the McClellan hearings, the accused was acquitted.

Yet the formula worked. The Kennedys got their bill.

Ironically, the Teamsters emerged stronger and more united from the "trial by lie." The silent, fearful AFL-CIO came out confused and beaten.

John Herling, labor commentator who often reflects AFL-CIO thinking, recently explained it this way:

AFL-CIO representatives "are men who are puzzled by events, bothered by personality divisions and temporarily bewildered by their enemies. They feel very deeply that they have been taken for a ride by the business community who softened them up and then moved in on them for the 'kill.'"

"Through large-scale tranquilizers administered in economy sizes, many of America's labor leaders were kidded into thinking that they were labor statesmen who only needed to clip the coupons of prestige and reap the reward of public recognition and industry adoration.

"In short, they made the mistake—many of them—of believing their own publicity."

## Big Business 'Manipulates' Mood to Pass Killer Bill

**B**IG business "manipulation of a public mood," as Bernard D. Nossiter described it in the *Washington Post*, was designed to create the impression of public clamor for a strict labor bill.

Nossiter, analyzing managements' successful effort, pointed out that "one participant has said that the degree of coordination exceeded that ever undertaken by business in the past."

Business worked essentially on the marginal districts in the House of Representatives—those won by 55 per cent or less of the popular vote. After eliminating some, a final total of 54 key precincts were selected for the major effort, Nossiter reported. According to his article:

"The problem then became one of arousing constituents in these districts to flood their Congressmen with mail. One important tool was a television drama, 'Sound of Violence.'"

"This hour-long show portraying union hoodlums in the jukebox field had run in April on Armstrong Cork Co.'s Circle Theater to an audience estimated at 25 million. It ends with an appeal from Sen. John L. McClellan (D-Ark.) urging the American people to do something about the evils shown.

"When Armstrong decided to run the drama on July 8 as a summer repeat, the business lobbyists latched on. Local NAM affiliates and other trade associations told their members when and where the show could be seen; they advised employer members to urge their workers to watch it; above all, they encouraged their members to get viewers to write their Congressmen on the labor bill.

"The Texas Manufacturers Association, for example, advertised the viewing time and stations for Amarillo, Austin, Dallas, Houston, Galveston, Lubbock, Odessa and El Paso. The Lumbermen's Industrial Relations Committee did the same for Spokane and Seattle, Washington and Portland, Medford and Klamath Falls, Ore.

### Sponsor Ads

"The strategists discovered that stations in 27 key Congressional districts would not carry the show. Arrangements were made to get eight of these stations to run it as a public service or under local sponsorship. Newspaper ads were taken in 20 of the important districts, urging people to watch and write.

"An estimated 4.5 to 5 million mailings plugging both the show and letters to Congress were sent out. Between 15 and 20 million persons were said to have seen the rerun.

"After the Griffin-Landrum bill, strongest of the measures proposed, was introduced in late July, the strategists continued to pour on the heat.

"Brief tape recordings were made for radio and television, featuring Reps. Phil. M. Landrum (D-Ga.) and Robert P. Griffin (R-Mich.). Beginning in August, these were run frequently, again as public-service features or under local sponsorship in 35 of the crucial districts.

"In one swing area, an experiment was tried. A good-sized corporation sent its foremen out to ring neighbor's doorbells. This tactic, it is claimed produced 3000 letters in one week, urging a stiff bill.

"The crucial House vote came on Aug. 13, when the Griffin-Landrum bill was approved 229 to 201. Of the 54 target Congressmen, 23 voted for the bill, or more than the 14 whose votes decided the issue.

"Since the entire group of 54 had originally been selected on the premise that they leaned towards a softer bill, the lobbyists claim their missionary work helped produce the margin of victory.

"Business lobbyists, pleased with their efforts, expect to use these techniques with more success in the future."



Herling stopped short of his own conclusion: that some of them had sold out the worker to save their own skins.

5) Although most of the labor movement hid in the shadows, management did no such thing.

The National Association of Manufacturers and the U. S. Chamber of Commerce took the raw material so thoughtfully furnished by their members in the publishing and network fields and fashioned a weapon to kill the hated labor movement.

Its job made easier by the cowering futility of the AFL-CIO, which itself called repeatedly for "labor legislation," management made the quickest political recovery in modern times.

#### Different Tack

Beaten and refuted at the polls in 1958 by voters who showed they had not been impressed by the McClellan hearings (anti-labor politicians who made labor the issue were in nearly every instance voted out), management took a different tack.

It undertook what Bernard D. Nossiter of the *Washington Post* called "conscious manipulation of a public mood."

In other words, management made Congress *think* the people demanded



"My Union is so damned respectable I haven't had a raise in three years."

"killer" legislation, and AFL-CIO paralysis left the field wide open.

Management efforts generated a flood of mail in crucial Congressional districts (see box on page 9) and swung the uncertain representatives of these districts, left floundering by AFL-CIO confusion, to support the "killer bill."

Self-serving publishers, who denounced Teamster lobbying efforts on

behalf of the labor movement (September TEAMSTER), had no such barbs for the efforts of the NAM and the Chamber of Commerce.

It was left to Rep. Clare Hoffman (R., Mich.) to give it all away when he said on the floor of the House: "... I understood who was writing the (Landrum-Griffin) bill. Someone was objecting ... that the NAM wrote it. Of course, they had a finger in the pie, and why should they not? And, of course, the Chamber of Commerce had a hand and foot in it as was their right and duty. I have gone along with those two groups. They are fine. They give some of the most pleasing dinners downtown that you have ever tasted. There is no question about it. They come around and they put their hand on your back and they pat your shoulder and you are the finest fellow that ever lived ..."

Another example of the political pressures exerted by management was told in a startlingly frank story about the trials of Rep. Erwin Mitchell (D., Ga.), the only Georgian to vote against the Landrum-Griffin Bill, printed in the *Atlanta Journal*, and reprinted on page 27.

6) One of the most cynical deals of all, designed to ensure the strict labor bill called for by President Eisenhower, was made when Southern Democrats agreed to back the stern Eisenhower measures in return for Republican support in blocking civil rights legislation this session. Columnist Joseph Alsop reported that "Halleck (House Republican leader Charles Halleck) has undertaken to help Smith (Southern Democrat leader Howard Smith) block action on civil rights, if Smith helps him with the labor bill and other measures of special interest to the Republicans."

In the final frenzy preceding passage of the Kennedy-Griffin-Landrum Bill, few voices could be heard in defense of the labor movement. A few courageous AFL-CIO unions, a few courageous Congressmen, the courageous Senator Wayne Morse (and Senator William Langer, the only other to support Morse) spoke out forcefully. But the evil had already been done.

Organized labor had learned the cost of cowardice. And it faced more tough lessons ahead.

## WHERE DO WE GO FROM HERE?

"The basic strength of labor is people; of business it's dollars. They have more dollars. We have more people."

This basic political fact will be the foundation for any future Teamster political program, according to President James R. Hoffa.

The IBT General Executive Board, opening its meeting shortly after this issue went to press, was scheduled to take action on such a program.

Hoffa said that "labor's political success will not come through handing out dollars to politicians. It will come only when we carry a program down to the precincts, reach the voters, and let them have access to the facts."

He said that labor in the past has not worked hard enough in the precinct. "Labor's Committee on Political Education (COPE) has turned over dollars to politicians who were supposed to work in the precincts for the interests of labor.

"This system works only when the political party is in basic agreement with the ideals of the labor movement. It hasn't worked since the passage of Taft-Hartley in 1947."

He said the Teamsters would have to concentrate on building voting strength in the "swing" or independent precincts—those precincts which are neither regularly Republican or regularly Democratic, but which hold the balance of power in many Congressional districts.



# Union-Busters Plot Next Move

WITH the ink not yet dry on the brutal, strikebreaking, anti-labor legislation just passed by the Congress in the name of "labor reform," already there is a cry from such reactionaries as McClellan and Goldwater for even stiffer restraints on the legitimate functions of unions. Having scored a lopsided victory in the first session of the 86th Congress with the aid of hysteria, confusion and a divided labor movement, labor's historic enemies are now marshalling their forces and laying plans which they hope will result in placing the American labor movement under the anti-trust laws of this country. They believe that if Title 7 and its vicious provisions are tried in court and found to be constitutional that this section of the law will be the vehicle which will aid them to achieve their future plans.

Early analysis of the law forces the Teamsters' Union and other labor organizations of comparable size and strength to step up their plans for company, area and industry-wide bargaining based upon common expiration dates of labor contracts. This would bring about a situation of multiple bargaining where for collective bargaining purposes a group or groups of employers would be considered as one employer. If, during the period of negotiations, an impasse is reached and economic action becomes necessary, a strike against one part of the multiple bargaining unit would mean a strike against the whole. Such a collective bargaining program, or one similar to it, must be entertained by labor to prevent employers representing the same or allied industries from operating around the area of dispute. Collective bargaining by this formula would be labor's only way out of the strikebreaking provisions of this law.

## Small Unions in Danger

The enactment of this "killer" bill will bring few protests to the proposition that the day of the small union is ending and the death of the independent union is here. If small International unions are to survive at all,

they must merge or affiliate with larger and stronger International unions. They will soon find that they must do this in order to maintain what they have won from the employer at the bargaining table. Future gains for the workers they represent are virtually impossible under this bill unless they move in this direction.

Once this has been accomplished, it naturally follows that common expiration dates of labor agreements between unions would be a valid way of protecting the interests and future welfare of America's organized working force of 16,000,000 men and women. Such a format would also lay necessary ground work for greater organizational cooperation between labor organizations.

## Excuse for Labor-Haters

The necessity for American unions getting together in the areas of collective bargaining and organization, brought about by repressive legislation in this session of the Congress, will certainly be used as an excuse by the McClellans and the Goldwaters to push through even more restrictive labor legislation. One of the avenues they will explore to further deny labor the right to bargain collectively for the American worker will be the anti-trust laws.

In 1890, the Sherman Anti-Trust Act was passed containing these two general principles:

1. Every contract, combination in form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several states, is hereby declared to be illegal . . .

2. Every person who shall monopolize or attempt to monopolize any part of the trade or commerce among the several states, or with foreign nations, shall be deemed guilty of a misdemeanor.

It was designed to curb abuses in industry, but the Act had little if any effect upon the trend of business consolidation. In 1894, Attorney General Olney suggested the Act to President Cleveland as a means of fighting the

Pullman strike of 1894. Later it was used to prevent labor from conducting interstate boycotts against the products of manufacturers whom they believed unfair.

The relief sought by labor for twenty years from the Act appeared to have been granted by the enactment of the Clayton Act, signed by President Woodrow Wilson, on October 15, 1914. Section 6 read:

"The labor of a human being is not a commodity or article of commerce. Nothing contained in the anti-trust laws shall be construed to forbid the existence and operation of labor . . . organizations, instituted for the purpose of mutual help . . . or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall any organization, nor the members thereof, be held or construed to be illegal combinations in restraint of trade, under the anti-trust laws."

Section 20 read in part:

"That no restraining order or injunction shall be granted by any court of the United States . . . in any case between . . . employers and employees . . . involving, or growing out of a pose of mutual help . . . or to forbid dispute concerning terms or conditions of employment, unless necessary to prevent irreparable injury to property, or to property right, of the party making application, for which injury there is no adequate remedy at law . . ."

## Court Ruling

Gompers hailed the act as labor's "Magna Carta" but the Supreme Court in 1921 held that the Clayton Act did not prevent federal courts from restraining actions they deemed illegal. Because of this opinion, the Act gave labor much less relief than its sponsors had hoped for. The purpose of the Clayton Act, which was designed to enable labor and farmers' organizations to deal on more even terms with big business, will be further thwarted if the labor haters in the Halls of Congress have their way.





## HOFFA: *'We Will Continue to Fight...'*

SOME four hours after the Joint Senate and House Labor Conference Committee agreed to deal the American labor movement a paralyzing legislative blow designed to seriously impair if not destroy collective bargaining, General President Hoffa addressed the 11th Annual Convention of Joint Council 73 in Atlantic City, New Jersey. Here are the highlights of President Hoffa's address:

"Tonight is a night on which normally we would be rejoicing in the past gains of our Joint Council in behalf of our members. But tonight is a night that will be long remembered as the darkest hour ever faced by American labor because this evening the Joint Labor Conference Committee of the House and Senate agreed on a compromise labor bill which, as Oregon's Senator Morse said, 'will become a destructive force against the workers of this Nation.'

"The compromise bill is known as S-1555. It contains seven titles. Each title has subsections, and each is worse than the other. Your International Union has spent many weeks analyzing and laying plans for survival under such a bill. We have called on the experience of 110 top attorneys from every section of the United States in this study. During our attorneys' annual conference held recently in White Sulphur Springs, West Virginia, they worked from dawn to dusk on ways to survive under this cleverly drafted legislation. Their findings were in concert with those of your International officers—that this kind of legislation was not drafted to curb or prevent corruption, but was drafted for the sole purpose of creating labor unrest in this country—drafted to create class conflict between labor and management.

"When you stop and analyze the front pages of the newspapers and the cover stories of every business and manufacturer's publication, you find that they are almost declaring an all-out war against the worker—a war against the worker who has created the great wealth of this country, the worker who with other workers has won wars, built industries, and above all, has elected with their vote so-called friends of labor to the Congress. In electing these so-called liberals, the workers of America have given them their time, their toil, and yes, their money. I say to you, that for all of this the worker has been betrayed. Not helped or understood—but betrayed.

"Right now we find the largest single industry in America—the steel industry—greatly pleased with the enactment of S-1555. This is the industry that very cleverly sat down and plotted out a planned starvation program for its workers, a program, if you please, which has brought about misery, discomfort, loss and humiliation to hundreds of thousands of workers. Yes, S-1555 virtually assures steel management that the starvation program they have worked out for their employees will be successful. For if they wait patiently for 60 or 90 days until this bill will become law, S-1555 will act as a transfusion to their shameful plot.

"This measure is worse than the 'Iron Hats' of Pennsylvania, worse than the strike breakers and scabs known by labor in 1932, 1933 and 1934. We cannot help other unions because a Senator John Kennedy—a millionaire who compromised a bad bill into a worse bill—compromised your right as free American citizens to decide for yourself whether or not you will assist a sister or brother union member on strike. I ask you to remember





"... What I want for my children I will help you get for yours."

that he comes from a millionaire family where his every want has been attended by servants. His schooling came from the very best this country has to offer. He has never had to work a day of his life and an endowment of one million dollars assures him he will never have to. I ask you this question. How can this man possibly conceive what it is going to mean to union workers of America if they are forced to break the strikes of other union workers? How can he understand the anguish of a small union that can no longer expect the support of the entire American Labor Movement in its struggle to improve the standard of living of its members? I say to you that he cannot and S-1555 proves that he did not.

"Today, because of this punitive legislation, you, the transportation men of this country, could very well be forced to drive through certain picket lines and accept merchandise from scabs, knowing full well that tomorrow this bill will be used against you when your contract expires. When they have completed this cycle they will have you back to the days when they will tell you when you will work, how much you will work for and how you will work—if you are allowed to work at all.

"I do not tell you that we are going out of business. I do ask you to carry the word back to your members, your neighbors and your relatives that there has never been a law passed so punitive in nature as S-1555. Tell them that there has never been a law so drafted in haste. Tell them that there has never been any legislation passed by the Congress that holds so much potential harm for the livelihood and welfare of the American worker.

"You may wonder why the AFL-CIO deserted the ship, why they refused to come out at the very inception of the bill and protest. You may wonder why they did not take the issues to the workers of this country and alert them to this conspiracy that was about to be placed

upon them. You may wonder why it is that Meany, Reuther, Carey and most of the AFL-CIO's executive board have silently sat by and allowed this gigantic conspiracy, this monstrous betrayal to shackle the rights of working men and women in America.

"I will tell you why. The union-busting McClellan committee, using the tactics dreamed up by Hitler and Mussolini and with the help and support of the press, radio and television, made them forget their responsibilities to the workers they are supposed to represent.

"Out of a fear of being intimidated by this committee and its subpoenas, out of a fear of public harassment by headlines, and editorials, they sacrificed the objectives of organized labor. Sacrificed them because they were fearful they would not be able to be selected for the United Nations, they would not be invited to speak to the Chamber of Commerce or accepted by employers who never in their lifetime will accept them.

"Instead of fighting, they listened to McClellan's Gestapo system in which he used every kind of a prostitute, every kind of a mental degenerate and disgruntled individual, to drum up hysteria and confusion, hoping that they would be spared.

"Finally, after we had traveled from coast to coast and had held meetings with the rank-and-file of the AFL-CIO, they came out and protested weakly that they 'opposed this bill.' But I say to you, and I have affidavits to prove it, that while they proclaimed in the press and to their membership that they were opposing the bill, their own representatives were in the halls of Congress accepting the compromises that were being made to destroy the American Labor Movement. We know full well that Meany, Reuther and company are now crying privately—'this bill will destroy organized labor.' Yet, just a few short hours before the so-called compromise was reached, they could not be contacted to rally a last ditch attempt to check this killer bill. They all conveniently left word that they could not be reached.

"Yes, we find Mr. Reuther who has been known as the mouthpiece for the CIO, very quietly sitting in a corner waiting for this law to pass. In my opinion, he has been privately hoping and wishing that a restrictive labor bill would come out of the Congress so that he would be able to promote himself as a 'savior' of the labor movement. Hoping that labor would get a tough bill so that he might be able to promote himself as a vice president or president of the United States. And now we find Mr. Reuther speak-



Young admirer of President Hoffa watches attentively while Teamster leader autographs dinner menu during the annual Convention of Teamster Joint Council 73.





Newly elected Executive Board of Joint Council 73 poses for formal photograph at Atlantic City Convention. Standing, from left, are William Nutti, Secretary Treasurer; Tony Provenzano, President; Jules Feldblum, Vice President. Sitting from left are Herbert Heilman, Recording Secretary; Lewis Jacobi, Joseph Landgraft and Mike "Red" Calabrese, Trustees. President Provenzano called for unity and termed the Convention successful.

ing out for the first time in many months as head of the AFL-CIO's industrial council, that he will donate one million dollars to the steel workers, and saying that he hopes that all the workers will contribute money. I tell you this isn't the answer to the steel worker's problem. This isn't even a decent statement to make because a million dollars is only a drop in the bucket, only the beginning of the sacrifices that must be made. Notice how cleverly he suggests that the steel workers' strike may carry on until Christmas. I say to you that Reuther again, as he has done since the very day he came into the labor movement, is using somebody else's blood as a transfusion for his ambition. He must be exposed to the American workers as the one man who failed to testify in Congressional hearings against restrictive labor legislation. He must be exposed for his failure to come out and make one positive statement concerning this unfair bill. He accepted it because he wants turmoil, trouble and confusion in this country.

"We find ourselves in a position today of wondering about some of the reasons for this vicious attack upon labor. I think perhaps we have the answer to at least one of the reasons; an answer that in my opinion may well be considered to be the key answer. It is this:

"Employers never live for just today. They are always projecting plans far ahead. Projecting them for five, ten, fifteen or twenty years. They are thinking about what is going to be good for their business in the years to come.

"We decided to try their formula and see what would happen. We took one fund known as the Central States, Southeast, Southwest Trust Fund and projected it ahead just as the employers do. We projected it ahead for five years. We find that as of September 15, 1959 this fund is worth \$70 million—\$70 million of the American workers' security for themselves and their families. We found that projecting this ahead for a five year period and employing a reinvestment program we will have in this fund alone some \$326,113,000. Multiply this by the hundreds of trust funds we have in America; multiply this by our vast welfare and pensions trusts and you will find that the employer's anxiety is brought about by his fear that the

American Labor Movement will become so welded together and that their members will become so welded together that they will never be able to destroy us.

"I say to you that looking ahead and knowing that five years from now would be too late, they pushed through this bill. I am sure this is one of the answers to why labor has been subjected to such a legislative attack.

"I believe that when the American worker realizes what they have done, and how he was tricked, he will revolt at the polls. I predict that those who voted for this unfair law will find themselves in the same position as those who voted for Taft-Hartley—out of public office. This will happen, I believe.

"It is our solemn duty to recognize that our responsibility goes far beyond just talk. For the first time in the history of this International Union we must now devote ourselves to politics as we do to organizing new members, negotiating contracts and conducting the affairs of local unions. We must now recognize that no longer can we sit smugly aside, no longer can we say we have money in the bank to take care of our strikers, we have money to take care of our office and our expenditures. We can no longer be completely satisfied with our contract provisions in welfare and pensions because each one of these can be wiped out by restrictive legislation.

"Yes, it is our responsibility to go into politics—but not on the basis of giving somebody some money, not on the basis of getting excited thirty days before a political campaign. We must go into politics on the basis of a 365-days a year program. We must have a political education department on the International level and on every other level of this great organization. These departments must devote their time to hundreds of problems dealing with legislative problems. Their prime function, however, must be to keep our membership informed. Informed on legislative problems at the Federal, State and local levels that directly or indirectly affect the members of our union and their families.

"I predict that the next twelve months will be the worst twelve months labor has ever experienced in the history of the American trade union movement. There will be more turmoil and more trouble than ever before. And out of this turmoil and trouble will come an understanding between workers, between leaders of organized labor who are allowed to remain on the job—because I say to you that the workers will toss out those individuals who have failed to carry out their responsibilities. This time of trouble will lead to collective bargaining contracts nationwide. It will lead to collective bargaining contracts company-wide. It will lead, in my opinion, to having entire cities, entire states, yes, the entire country negotiating on a given day for a wage increase—and we will get these wage increases for our people or primary strikes will become the thing of the day. I say this because I know that union men will not break other men's strikes for long.

"I say to you here tonight and to every member of this great International Union and their families that I will be here as your president and with the help of your vice presidents and our stout hearted people in the field we will continue to fight despite the publicity and despite political betrayal.

"I have two children, both going into college—and what I want for my children you are entitled to for yours. I promise you that what I get for mine I will help you get for yours."



## 20 Wins in 30 Days

# NLRB Victories Pile Up for IBT

The International Brotherhood of Teamsters continues to grow by leaps and bounds with new election victories each week.

According to latest N.L.R.B. reports, the International Brotherhood of Teamsters won approximately 20 National Labor Relations Board elections in a one-month period. Significantly, nine of the representation victories came in Southern States.

Victories in the South occurred in Houston, Tex.; Atlanta, Ga.; Fort Lauderdale, Fla.; New Orleans, La.; Winston-Salem, N. C.; Fort Smith, Ark., and Winfield, W. Va.

Election victories in the North included Chicago, Ill.; Cincinnati, Ohio; Corona, Calif.; Waterloo, Iowa, and Jersey Shore, Pa.

The biggest victory came at Maysville, Ky., where 250 employees of the Carnation Milk Company voted to discontinue their membership in the Textile Workers Union of America, and to join Teamsters Local 783.

In Dayton, Ohio, Teamsters Local 176 was selected for membership by the employees of the American Lubricant Company. They had not belonged to any union previously.

In Roanoke, Va., the employees of the Concrete Ready Mixed Corporation voted to join Local 171.

In Spokane, Wash., Teamsters Local 690 was selected by the employees of the Odessa Union Warehouse Cooperative to represent them. The Pacific Northwest Grain Dealer's Association said the Teamsters victory was the first in organizing employees of a country elevator firm in the Pacific Northwest.

The Textile Workers in Kentucky engaged in a vicious smear campaign but the Carnation employees were not fooled. Interestingly enough, the Teamsters General Executive Board contributed \$5,000 to the Textile Workers strike in Henderson, N. C.

The final vote of the Carnation employees after a campaign of four months and 17 days was 188 for the Teamsters, and only 49 for the Textile Workers. One vote was registered for no union.

### I.B.T. Membership Reaches New High

The membership of the International Brotherhood of Teamsters reached an all-time high in August of this year with 1,633,417 members being recorded by the offices of John F. English, General Secretary Treasurer of the Union.

The membership figure of August, 1958 stood at 1,618,097. The new figure shows an increase of 15,320 members during the past 12 months, refuting the charge of young millionaire Robert Kennedy that the Teamsters' Union has lost membership.

August and November membership figures are considered to be the most accurate as they reflect that part of the union's membership engaged in seasonal employment.

Howard Haynes, secretary-treasurer of Teamsters Local 783, said the Textile Workers Union was voted out because it failed to service the

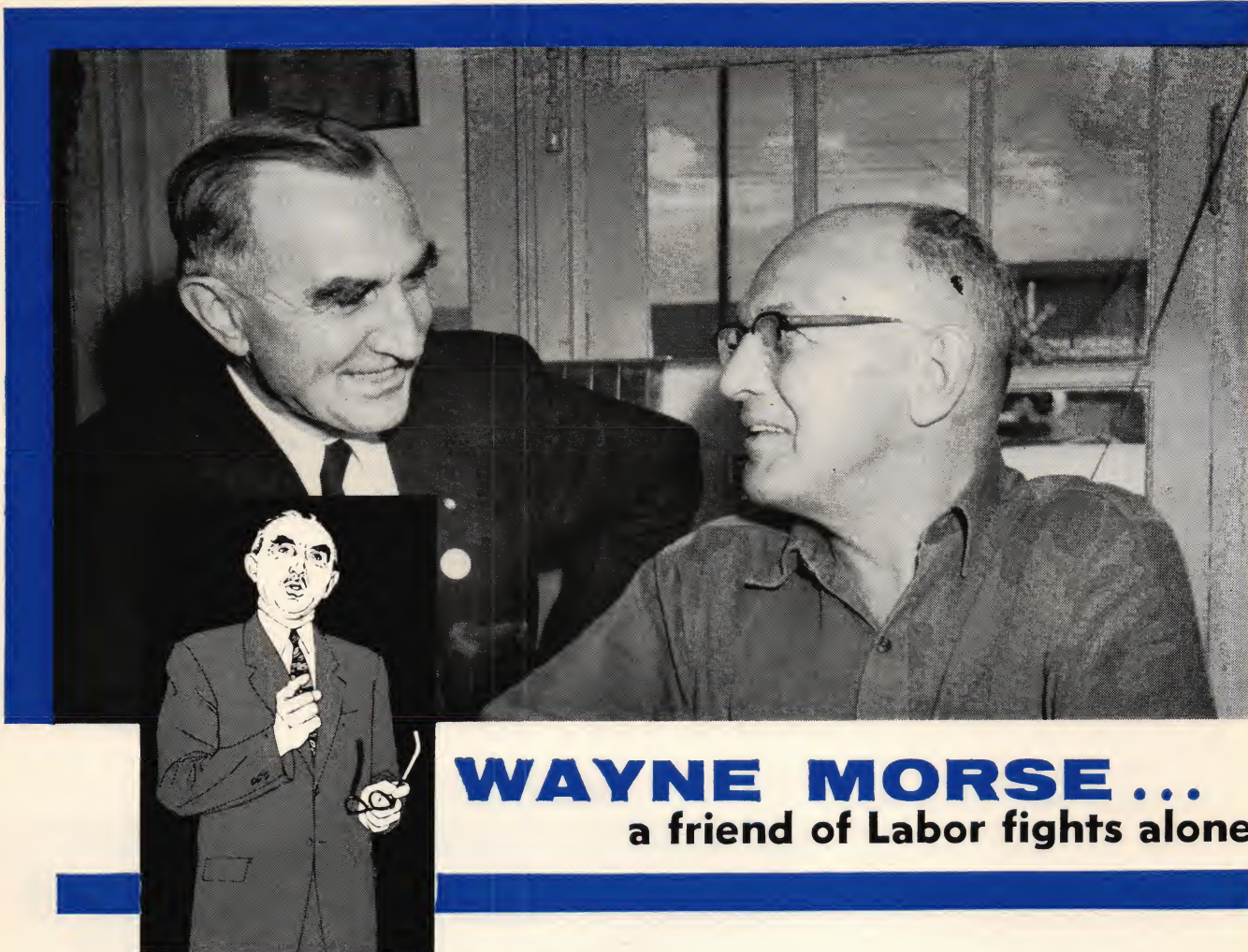
needs of the Carnation employees, and that grievances of the employees were not satisfactorily handled by the Textile Workers Union.

### McClellan's Folly



KEN ROBEL  
TEAMSTER NEWS SERVICE





## WAYNE MORSE ... a friend of Labor fights alone

**O**REGON'S Senior Senator, Wayne Morse, long considered to be one of the country's greatest living liberals, did not turn his back on American labor in its hour of greatest crisis. For well over four hours Senator Morse stood on the floor of the United States Senate and categorically denounced the Senate-House conference report bill (S-1555) as a cruel invasion of the legitimate rights of labor.

He told the Senate and the American people that labor's rights, hard won through long bitter years of struggle by early pioneers in the American labor movement should not be lost in a single legislative day, or ever.

Senator Morse made it plain that he deplored the procedures of the bill which he said would result in many abuses against unions. He said that he hoped unions would answer these abuses by fighting it out on the economic line for the continued protection of their members' wages, hours and conditions of employment. At the same time he called for labor to redouble its efforts and activity in the field of American politics. "I say that they must do this," Morse declared,

"because now at every collective bargaining table there is present also the issue of political legislative rights."

Here are excerpts from Senator Morse's courageous fight to preserve the dignity and rights of the American worker:

Most Members of Congress will not take the time to analyze and study the complex abstract illegal implications and concrete economic injustices to labor of this proposed legislation. I shall vote against it because I am convinced that it is not in the public interest.

If I were to be asked the question, "What do you think is the worst thing about the bill?" I would say, "Its procedures."

I would say that because I believe, through these procedures, abuses will arise. I believe those abuses will force American labor, within the law, I hope, to exercise every power it has, as it has in the decades gone by, to fight it out on the economic line for the protection of decent wages, hours, and conditions of employment, and for the right to participate in dem-

ocratic activities in the field of American politics. I say that because at every collective bargaining table today there is present also the issue of political legislative rights.

Let us not forget that by one sitting of a city council or a State legislature or the Congress, the passage of one bad law can wipe out for the time being hard-earned and precious economic rights of American free labor.

Mr. President, I know that the reactionary forces in this country want to make organized labor politically impotent. However, I am willing to say on the floor of the Senate today, in my judgment labor knows it has just begun to fight politically. The passage of this bill places upon labor the clear democratic duty of carrying this issue to the voting precincts of America for as many years as it takes to correct the injustices which I am convinced are imbedded in the conference report.

Title VII of the bill has nothing whatsoever to do with the prevention of corrupt or undemocratic practices in unions or among employers and



labor relations consultants. Instead, it contains far-reaching amendments of the jurisdiction, boycott and picketing provisions of the Taft-Hartley Act which have long been desired by reactionary business interests in order to impose new restrictions on traditional rights and wholly legitimate practices of labor unions and labor union members.

While there are a number of provisions included in the first six titles of the bill which are not in satisfactory form and some of which are open to serious objection, the conference committee made substantial progress in these titles toward a reasonable and workable labor-management reporting and disclosure statute. Had the conference committee shown the same wisdom and judgment in dealing with the differences in title VII between the Senate bill and the House amendment as they showed in dealing with titles I through VI, the bill as reported by the conference to the Senate and the House would be a far better piece of proposed legislation.

First, Section 101(a)(1) and section 101(a)(2) of the conference committee bill deal with equal rights and freedom of speech and assembly of union members. These sections contain limitations to insure the right and authority of unions to adopt reasonable rules to enable them to carry on their business, including the preservation of order at union meetings and requiring union members to be loyal and responsible to their union's performance of its legal or contractual obligations. Under these provisions, union officers can be sued by a union member who has been ejected from a meeting or who has been disciplined for leading a back-to-work movement in the midst of a strike if this officer's action does not appear to be reasonable in the circumstances to the court. Interference by force or violence or threats of force or violence with a member for exercising the rights prescribed by section 101(a)(1) or section 101(a)(2) would be a Federal crime under section 610 of the bill, subjecting the union or the officer responsible to a fine of up to \$1,000 or a jail sentence of up to 1 year, or both.

These provisions are an unnecessary and unjustifiable intrusion by the Federal Government into matters which are presently handled by civil action in the State courts under existing law. There has been much talk about the need to require unions to

conform to prescribed democratic procedures, but little concrete evidence has been offered in support of this alleged need. Provisions of the kind included in sections 101(a)(1) and 101(a)(2) of the conference committee bill need to be drafted with the utmost care if unions are not to be compelled to function under a virtual strait jacket of governmental rules and regulations.

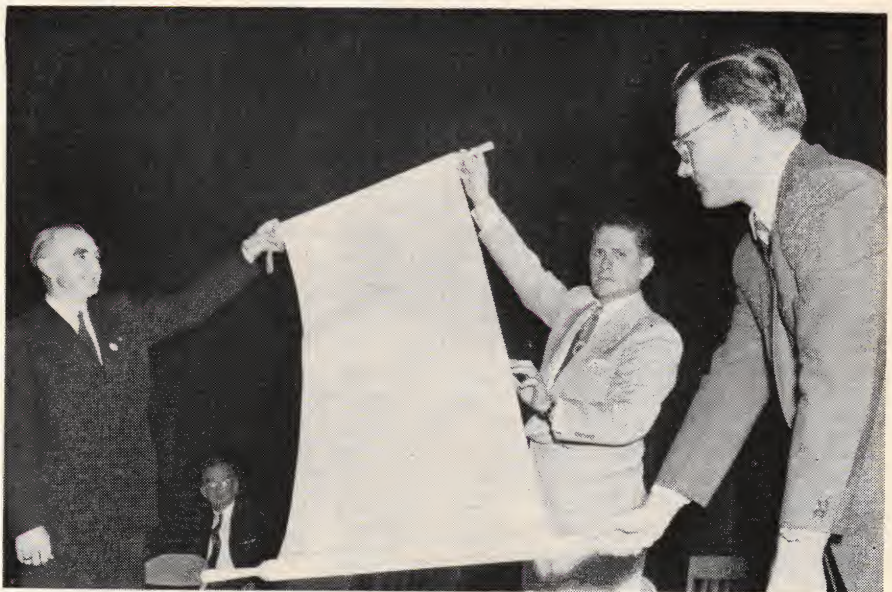
Second. Under section 101(a)(4) of the conference committee bill, the rule of exhaustion of reasonable remedies within a union, taking into account all the circumstances which the courts presently consider in determining whether they ought to interfere in cases, would be supplanted by an inflexible 4-month period in which to exhaust "reasonable hearings procedure." It is obvious that reasonable men may differ as to what is a reasonable time in which to exhaust "reasonable" internal remedies, and this is indeed demonstrated by the fact that when the Senate and the House first considered this provision, the Senate prescribed a 6-months' time limit, whereas the House prescribed a 4-months' time limit. There has been no evidence at all that the rule of reasonableness with regard to exhaustion of internal remedies which is presently being applied by the courts is in any way unsatisfactory or ineffective in protecting union members'

democratic rights and the conference committee ought to have left this matter to the sound discretion of the courts in the light of all the circumstances.

Third. Under section 101(a)(5) of the conference committee bill, a union member could literally demand "specific written charges," "a reasonable time to prepare his defense," and a "full and fair hearing" before being ruled out of order by the chairman and even by vote of the members at a union meeting.

Similarly, a union officer suspected of embezzlement of union funds or property, or the leader of a back-to-work movement during a strike, would also appear to have the legal right to demand the protection of these specific safeguards against summary disciplinary action by the union, even though such summary action may be specifically necessary to protect the union's funds or assets or to maintain its maximum bargaining power.

Fourth. Under section 102 of the conference committee bill, there is no requirement that a union member must exhaust his reasonable remedies within the union before bringing a court action under this section "for such relief as may be appropriate" in cases involving alleged infringement of rights preserved by the provisions of the so-called bill of rights. The



Senator Morse, left, receives scroll signed by thousands of Teamster members during his 1956 campaign which saw him re-elected to the United States Senate. Clyde Crosby, center, International Representative for Oregon and Anthony Vavrus, Legislative Representative for Joint Council 37, presented Senator Morse the honor scroll during the special political meeting.



absence of such a requirement would seem to make a virtual nullity of even the narrowly restricted principle of exhaustion of reasonable hearing procedure contained in section 101(a) (4) of the bill.

Fifth. Section 103 of the conference committee bill preserves the rights and remedies of union members under existing State and Federal laws. This provision has the effect of requiring unions to conform to possible conflicting State and Federal requirements with respect to guarantees of members rights and the conduct of internal union procedures which are within the scope of title I of the bill. If the internal affairs of unions are to be regulated at all, it would appear to be only proper to do so on the basis that since unions are entitled to the protection of the Federal statutes, they can properly be required to comply with certain Federal requirements, in return for such protection. This principle, however, can hardly justify permitting unions to be regulated under the laws of States which not only afford unions no protection whatsoever, but have on their statute books laws which are designed to interfere with union activities that are regarded as perfectly normal and legitimate in other States. If union members are to be protected by statute, all should be governed by Federal law, rather than by a multiplicity of varying, and often conflicting, State laws.

Sixth. Title II of the conference committee bill, which provides for reporting by labor organizations, union officers and employees, employers, and labor relations consultants, does not contain any exemption for small unions. Unions having fewer than 200 members and gross annual receipts of less than \$20,000 could have been exempted from detailed reporting on their financial transactions in the discretion of the Secretary of Labor, under the Kennedy-Ervin bill. Such a discretionary exemption was agreed to by Secretary James P. Mitchell last year, when the Kennedy-Ives bill was being debated by the Senate, and should be included in the legislation in order to prevent the bill from imposing undue burdens on small unions and their officers, where no need for compliance with the detailed financial reports requirement is shown. It is well known, I believe, that it is already difficult for these unions to obtain members who

are competent and are willing to assume the responsibilities of union office. These difficulties will be increased immeasurably under the conference committee bill.

Seventh. Section 202(a) (6) of the conference committee bill requires officers and employees to report any payments of money or other things of value, "including reimbursed expenses" received by them, directly or indirectly, from an employer or any person who acts as a labor relations consultant to an employer, except payments of the kinds referred to in section 302(c) of the Taft-Hartley Act, as amended. Failure by any such officer or employee to report any such payment is a criminal offense, punishable by a fine of up to \$10,000, or imprisonment of up to 1 year, or both. Payments of the type described in section 202(a) (6) are also made criminal offenses under section 302 (b) of the Taft-Hartley Act, as amended. In these circumstances, section 202(a) (6) seems to me to be plainly unconstitutional, since it is an express violation of the protection against self-incrimination which is guaranteed to all citizens under the fifth amendment to the Constitution of the United States.

I also have serious doubts, for the same reason, about the constitutionality of section 203(a) (1) of the conference committee bill, which requires employers to report payments to union officers and employees, which are made criminal offenses under section 302(a) of the Taft Hartley Act, as amended.

Section 304 of the conference committee bill provides that any union member or subordinate body of a labor organization, as well as the Secretary of Labor, may bring a civil action in a Federal district court to prevent and restrain violations of the bill's provisions regulating the purposes and duration of trusteeships "and for such other relief as may be appropriate." Section 306 provides that when the Secretary files a complaint alleging violation of the trusteeship provisions, the jurisdiction of the district court over such trusteeship shall be exclusive. No such provision, however, applies to suits brought by individual union members of trustee local unions pursuant to section 304. This does much more than simply preserve the rights of individual union members and local unions under existing law. The provision opens up avenue

of forum shopping, which can lead to great uncertainty and confusion in the application of the trusteeship provisions of the bill.

Section 401(c) of the conference committee bill provides that every bona fide candidate for union office shall have the right to inspect a list containing the names and last-known addresses of all members of the union who are subject to a collective bargaining agreement requiring membership in the union as a condition of employment. This requirement applies to all unions, including national and international unions, and even federations, like the AFL-CIO. Section 401(b) of the Kennedy-Ervin bill was, in my judgment, clearly preferable to this provision. Under the Kennedy-Ervin bill union officers would have been under a duty, enforceable by civil action in the Federal district courts, to comply with reasonable requests of candidates to distribute literature at the candidates' expense and to refrain from discrimination in favor of or against any candidate with respect to the use of membership lists in union election campaigns. The provisions of the conference committee bill may well lead to serious abuse, since they violate a cardinal principle that unions have traditionally observed, along with most other private membership organizations, namely, the secrecy of their membership lists as against outsiders. This principle is designed to withhold access to the list from unauthorized persons and groups; such as antiunion employers, the Communist Party and its supporters, commercial advertisers, and the like.

Mr. President, it is one of the great rights of secrecy that organizations such as the National Association for the Advancement of Colored People and many lodge groups have always insisted upon having the right to protect.

In some States, efforts of outsiders to obtain membership lists of the NAACP so that economic and social reprisals may be undertaken against individual members has led to considerable litigation. How important membership lists are in communities where antiunion attitudes prevail may be seen from the experience of the NAACP.

This is one of the most difficult points to get the general public to understand, Mr. President, because the general public does not fully ap-





Prior to his overwhelming victory at the Oregon polls in 1956, Senator Morse visited several hundred rank-and-file Teamster members on their jobs. He fulfilled his promise to working men and women from his home state and struck a blow for the rights of every worker in America when he opposed the vicious, strike breaking labor bill.

precipitate some of the internal problems that confront a trade union.

These union lists have been carefully guarded and protected over the years.

There are many reasons for it. Instead of talking about union X or union Y, let us talk about a specific union. What do you suppose, Mr. President, the Machinists would be willing to pay for a list of the union members of the Automobile Workers in any locality where they have a jurisdictional dispute in process? What do you suppose, Mr. President, that antilabor employers would pay to get their hands on lists of memberships of unions while they are pondering the question, "Should we bargain or should we let them strike?"

Further, Mr. President, there must be kept in mind the psychological importance of these union lists to the members of the unions, because unions have learned, Mr. President, that employers would like to know how much strength they have, for example, in their membership, or how much economic power their membership might be able to bring to bear upon the employer in case of a strike. The size of a union would be somewhat determinative of a decision.

All an employer has to do, Mr. President, to get a pretty good idea of who is in the union is to get two or three employer stooges to run for each one of the union offices and give them the right to inspect the union list, and that employer would pretty soon have a fairly good idea, and an accurate idea, of who comprised the

list, because candidate A for office would agree to look at the list from A to D, and candidate B would agree to take a look at the list from E to H, and so on down the alphabet.

In my judgment, Mr. President, if there is any merit in any protection of a union list, then the language of this bill destroys that protection.

#### FIDUCIARY RESPONSIBILITY

Section 501 of the conference committee bill is one of the bill's most dangerous provisions. It contains provisions on the fiduciary responsibility of union officers, agents, shop stewards, and other representatives which not only hold these officials accountable for union funds and property in their custody or possession and for refraining from dealing with the union as an adverse party or from holding or acquiring pecuniary or personal interests which conflict with the interests of the union, but also may permit individual union members or groups of members to litigate the propriety of particular uses or expenditures of union funds and property. This arises from the fact that union officials in question are said to "occupy positions of trust in relation to such organization and its members as a group" and that it "is, therefore, the duty of each such person, taking into account the special problems and functions of a labor organization, to hold its money and property solely for the benefit of the organization and its members and to manage, invest, and expend the same in accordance with its constitution and bylaws

and any resolutions of the governing bodies adopted thereunder." Under these provisions, it is possible that expenditures not strictly related to union organizing and bargaining activities, such as charitable and other contributions for social welfare purposes, and expenditures and contributions for educational or political activities of interest to labor could be challenged in any Federal district court or in any State court of competent jurisdiction. It is not at all clear that a general executive board resolution authorizing union officials to make certain expenditures would not be forbidden under the clause referring to "general exculpatory resolutions" contained in section 501(a).

I do not think anybody is being kidded. What do the antilabor forces want in this country? They want to get procedures into this bill so that some dissident element in the union, stooging for an employer, can cause trouble within the union when the union votes funds for political education purposes. That is what is involved here, Mr. President, and I am for meeting it head on. I have been assured that the fiduciary section will not prevent political contributions. I trust the courts will so interpret the language in the bill.

It is good for democracy in America for organized labor to take an active part in the democratic processes of politics.

Mr. President, in 1947 Congress passed the Taft-Hartley Act in an atmosphere somewhat akin to the

*(Continued on Page 32)*



## Senators Voting for Labor

NORTH DAKOTA—William Langer (R).  
OREGON—Wayne Morse (D).

## Senators Voting Against Labor

ALABAMA—Lister Hill (D); John J. Sparkman (D).  
ALASKA—E. L. Bartlett (D); Ernest Gruening (D).  
ARIZONA—Carl Hayden (D); Barry M. Goldwater (R).  
ARKANSAS—John L. McClellan (D); J. W. Fulbright (D).  
CALIFORNIA—Thomas H. Kuchel (R); Clair Engle (D).  
COLORADO—Gordon L. Allott (R); John A. Carroll (D).  
CONNECTICUT—Prescott Bush (R); Thomas J. Dodd (D).  
DELAWARE—John J. Williams (R); Joseph A. Frear, Jr. (D).  
FLORIDA—Spessard L. Holland (D); George A. Smathers (D).  
GEORGIA—Richard B. Russell (D); Herman B. Talmadge (D).  
HAWAII—Oren E. Long (D); Hiram Fong (R).  
IDAHO—Henry C. Dworshak (R).  
ILLINOIS—Paul H. Douglas (D); Everett M. Dirksen (R).  
INDIANA—Homer E. Capehart (R); Vance Hartke (D).  
IOWA—Bourke B. Hickenlooper (R); Thomas E. Martin (R).  
KANSAS—Andrew F. Schoeppel (R); Frank Carlson (R).  
KENTUCKY—John S. Cooper (R); Thruston B. Morton (R).  
LOUISIANA—Allen J. Ellender (D); Russell B. Long (D).  
MAINE—Margaret Chase Smith (R); Edmund S. Muskie (D).  
MARYLAND—John Marshall Butler (R); J. Glenn Beall (R).  
MASSACHUSETTS—Leverett Saltonstall (R); John F. Kennedy (D).  
MICHIGAN—Patrick V. McNamara (D); Philip A. Hart (D).  
MINNESOTA—Hubert H. Humphrey (D); Eugene J. McCarthy (D).  
MISSISSIPPI—James O. Eastland (D); John C. Stennis (D).  
MISSOURI—Thomas C. Hennings, Jr. (D); Stuart Symington (D).  
MONTANA—James E. Murray (D); Michael J. Mansfield (D).  
NEBRASKA—Roman L. Hruska (R); Carl T. Curtis (R).  
NEVADA—Alan Bible (D); Howard W. Cannon (D).  
NEW HAMPSHIRE—Styles Bridges (R); Norris Cotton (R).  
NEW JERSEY—Clifford P. Case (R); Harrison A. Williams, Jr. (D).  
NEW MEXICO—Dennis Chavez (D); Clinton P. Anderson (D).  
NEW YORK—Jacob K. Javits (R); Kenneth B. Keating (R).  
NORTH CAROLINA—Sam J. Ervin, Jr. (D); B. Everett Jordan (D).  
NORTH DAKOTA—Milton R. Young (R).  
OHIO—Frank J. Lausche (D); Stephen M. Young (D).  
OKLAHOMA—Robert S. Kerr (D); A. S. Mike Monroney (D).  
OREGON—Richard L. Neuberger (D).  
PENNSYLVANIA—Joseph S. Clark (D); Hugh Scott (R).  
RHODE ISLAND—Theodore F. Green (D); John O. Pastore (D).  
SOUTH CAROLINA—Olin D. Johnston (D); Strom Thurmond (D).  
SOUTH DAKOTA—Karl E. Mundt (R).  
TENNESSEE—Estes Kefauver (D); Albert Gore (D).  
TEXAS—Lyndon B. Johnson (D); Ralph W. Yarborough (D).  
UTAH—Wallace F. Bennett (R); Frank E. Moss (D).  
VERMONT—George D. Aiken (D); Winston L. Prouty (R).  
VIRGINIA—Harry F. Byrd (D); A. Willis Robertson (D).  
WASHINGTON—Warren G. Magnuson (D); Henry M. Jackson (D).  
WEST VIRGINIA—Jennings Randolph (D); Robert C. Byrd (D).  
WISCONSIN—Alexander Wiley (R); William Proxmire (D).  
WYOMING—Gale W. McGee (D).

## Not Voting

IDAHO—Frank Church (D).  
SOUTH DAKOTA—Francis Case (R).  
WYOMING—Joseph C. O'Mahoney (D).

# VOTING RECORD ON STRIKE BREAKING LABOR BILL

This is how Senators and Congressmen voted on the strikebreaking Kennedy-Landrum-Griffin Bill, which President Eisenhower signed into law last month.

Read about this labor bill, beginning on page 4; then decide whether anyone who voted for such a bill could be counted as a "friend of labor."

Yet, the AFL-CIO, to protect its tragic record of double-dealing and confusion (see page 8), told Congressmen that they would not be held accountable by the AFL-CIO for this vote!

This incredible position means that the actual voting record printed here might well be the only accounting printed in an American labor publication.



# How House of Representatives Voted on Strikebreaking Bill

(Those voting no (N) stood by labor; those voting yes (Y) voted against labor. Those who voted for labor are listed in bold type.)

## ALABAMA

Frank W. Boykin (D) Y  
George M. Grant (D) Y  
George M. Andrews (D) NV  
Kenneth A. Roberts (D) Y  
Albert Rains (D) Y  
Armistead I. Selden, Jr. (D) Y  
Carl Elliott (D) Y  
Robert E. Jones, Jr. (D) Y  
George Huddleston, Jr. (D) Y

## ALASKA

Ralph J. Rivers (D) Y

## ARIZONA

John J. Rhodes (R) NV  
Stewart L. Udall (D) Y

## ARKANSAS

E. C. Gathings (D) Y  
Wilbur D. Mills (D) Y  
James W. Trimble (D) Y  
Oren Harris (D) Y  
Dale Alford (D) Y  
W. F. Norrell (D) Y

## CALIFORNIA

Clement W. Miller (D) Y  
**Harold T. Johnson (D)** N  
John E. Moss (D) Y  
William S. Mailliard (R) Y  
**John F. Shelley (D)** N  
John F. Baldwin Jr. (R) Y  
Jeffery Cohelan (D) Y  
George P. Miller (D) Y  
J. Arthur Younger (R) Y  
Charles S. Gubser (R) Y  
John J. McFall (D) Y  
B. F. Sisk (D) Y  
Charles M. Teague (R) Y  
Harlan Hagen (D) Y  
Gordon L. McDonough (R) NV  
Donald L. Jackson (R) Y  
Cecil R. King (D) Y  
Craig Hosmer (R) Y  
Chet Holifield (D) NV  
H. Allen Smith (R) Y  
Edgar W. Hiestand (R) Y  
Joe Holt (R) Y  
Clyde Doyle (D) Y  
Glenard P. Lipscomb (R) Y  
**George A. Kasem (D)** N  
**James Roosevelt (D)** N  
Harry R. Sheppard (D) Y  
James B. Utt (R) Y  
D. S. (Judge) Saund (D) Y  
Bob Wilson (R) Y

## COLORADO

Byron G. Rogers (D) Y  
Byron L. Johnson (D) Y

## COLORADO (Cont'd)

J. Edgar Chenoweth (R) Y  
Wayne N. Aspinall (D) Y

## CONNECTICUT

Emilio Q. Daddario (D) Y  
Chester Bowles (D) Y  
Robert N. Giaimo (D) Y  
Donald J. Irwin (D) Y  
John S. Monagan (D) Y  
at large:  
**Frank Kowalski (D)** N

## DELAWARE

at large:  
Harris B. McDowell, Jr. (D) Y

## FLORIDA

William C. Cramer (R) Y  
Charles E. Bennett (D) Y  
Robert L. F. Sikes (D) NV  
Dante B. Fascell (D) Y  
A. S. (Syd) Herlong, Jr. (D) Y  
Paul G. Rogers (D) Y  
James A. Haley (D) Y  
D. R. (Billy) Matthews (D) Y

## GEORGIA

Prince H. Preston (D) Y  
J. L. Pilcher (D) Y  
E. L. (Tic) Forrester (D) Y  
John J. Flynt, Jr. (D) Y  
James C. Davis (D) Y  
Carl Vinson (D) Y  
Erwin Mitchell (D) Y  
Iris Faircloth Blitch (D) Y  
Phil M. Landrum (D) Y  
Paul Brown (D) Y

## HAWAII

**Daniel Inouye (D)** N

## IDAHO

Gracie Pfost (D) Y  
Hamer H. Budge (R) Y

## ILLINOIS

**William L. Dawson (D)** N  
Barratt O'Hara (D) Y  
William T. Murphy (D) Y  
Edward J. Derwinski (R) NV  
John C. Kluczynski (D) Y  
Thomas J. O'Brien (D) Y  
**Roland V. Libonati (D)** N  
Dan Rostenkowski (D) Y  
Sidney R. Yates (D) Y  
Harold R. Collier (R) Y  
Roman C. Pucinski (D) Y  
Charles A. Boyle (D) Y  
Marguerite Stitt Church (R) Y  
Elmer J. Hoffman (R) Y  
Noah M. Mason (R) Y  
Leo E. Allen (R) Y

## ILLINOIS (Cont'd)

Leslie C. Arends (R) Y  
Robert H. Michel (R) Y  
Robert B. Chipfield (R) Y  
Edna Oakes Simpson (R) Y  
Peter F. Mack, Jr. (D) Y  
William L. Springer (R) Y  
George E. Shipley (D) Y  
**Melvin Price (D)** Y  
Kenneth J. Gray (D) Y

## INDIANA

**Ray J. Madden (D)** Y  
Charles A. Halleck (R) Y  
John Brademas (D) Y  
E. Ross Adair (R) Y  
J. Edward Roush (D) Y  
Fred Wampler (D) Y  
William G. Bray (R) Y  
Winfield K. Denton (D) NV  
Earl Hogan (D) Y  
**Randall S. Harmon (D)** Y  
Joseph W. Barr (D) Y

## IOWA

Fred Schwengel (R) Y  
Leonard G. Wolf (D) Y  
H. R. Gross (R) Y  
Steven V. Carter (D) Y  
Neal Smith (D) Y  
Merwin Coad (D) Y  
Ben F. Jensen (R) Y  
Charles P. Hoeven (R) Y

## KANSAS

William H. Avery (R) Y  
Newell A. George (D) Y  
Denver D. Hargis (D) Y  
Edward H. Rees (R) Y  
J. Floyd Breeding (D) N  
Wint Smith (R) Y

## KENTUCKY

Frank A. Stubblefield (D) Y  
William H. Natcher (D) Y  
Frank Chelf Y  
Frank W. Burke (D) Y  
Brent Spence (D) Y  
John C. Watts (D) NV  
**Carl D. Perkins (D)** Y  
Eugene Siler (R) Y

## LOUISIANA

F. Edward Hebert (D) Y  
Hale Boggs (D) Y  
Edwin H. Willis (D) Y  
Overton Brooks (D) Y  
Otto E. Passman (D) Y  
James H. Morrison (D) Y  
T. A. Thompson (D) Y  
Harold B. McSween (D) Y

## MAINE

**James C. Oliver (D)** N  
Frank M. Coffin (D) Y  
Clifford G. McIntire (R) Y

## MARYLAND

Thomas F. Johnson (D) Y  
Daniel B. Brewster (D) Y  
**Edward A. Garmatz (D)** N  
George H. Fallon (D) Y  
Richard E. Lankford (D) Y  
John R. Foley (D) Y  
Samuel M. Friedel (D) Y

## MASSACHUSETTS

Silvio O. Conte (R) Y  
Edward P. Boland (D) Y  
Philip J. Philbin (D) Y  
Harold D. Donohue (D) Y  
Edith Nourse Rogers (R) Y  
William H. Bates (R) Y  
Thomas J. Lane (D) Y  
Torbert H. Macdonald (D) Y  
Hastings Keith (R) Y  
Laurence Curtis (R) Y  
**Thomas P. O'Neill, Jr. (D)** N  
John W. McCormack (D) Y  
James A. Burke (D) Y  
Joseph W. Martin, Jr. (R) Y

## MICHIGAN

Thaddeus M. Machrowicz (D) NV\*  
George Meader (R) Y  
August E. Johansen (R) Y  
Clare E. Hoffman (R) Y  
Gerald R. Ford, Jr. (R) NV  
Charles E. Chamberlain (R) Y  
James G. O'Hara (D) Y  
Alvin M. Bentley (R) Y  
Robert P. Griffin (R) Y  
Elford A. Cederberg (R) Y  
Victor A. Knox (R) Y  
John B. Bennett (R) Y  
Charles C. Diggs, Jr. (D) Y  
Louis C. Rabaut (D) Y  
John D. Dingell (D) Y  
John Lesinski (D) NV  
Martha W. Griffiths (D) Y  
William S. Broomfield (R) Y

## MINNESOTA

Albert H. Quie (R) Y  
Ancher Nelsen (R) Y  
**Roy W. Wier (D)** N  
**Joseph F. Karth (D)** N  
Walter H. Judd (R) Y  
Fred Marshall (D) NV  
H. Carl Andersen (R) Y  
**John A. Blatnik (D)** N  
Odin Langen (R) Y



# An 'N' Vote Was for Labor; a 'Y' Vote Against Labor

## MISSISSIPPI

Thomas G. Abernethy (D) Y  
 Jamie L. Whitten (D) Y  
 Frank E. Smith (D) Y  
 John Bell Williams (D) Y  
 Arthur Winstead (D) Y  
 William M. Colmer (D) Y

## MISSOURI

Frank M. Karsten (D) N  
 Thomas B. Curtis (R) Y  
 Leonor K. Sullivan (D) Y  
 W. J. Randall (D) Y  
 Richard Bolling (D) Y  
 W. R. Hull, Jr. (D) Y  
 Charles H. Brown (D) Y  
 A. S. J. Carnahan (D) Y  
 Clarence Cannon (D) Y  
 Paul C. Jones (D) NV  
 Morgan M. Moulder (D) Y

## MONTANA

Lee Metcalf (D) Y  
 LeRoy H. Anderson (D) Y

## NEBRASKA

Phil Weaver (R) Y  
 Glenn Cunningham (R) Y  
 Lawrence Brock (D) Y  
 Donald F. McGinley (D) Y

## NEVADA

at large: Y  
 Walter S. Baring (D) Y

## NEW HAMPSHIRE

Chester E. Merrow (R) Y  
 Perkins Bass (R) Y

## NEW JERSEY

William T. Cahill (R) Y  
 Milton W. Glenn (R) Y  
 James C. Auchincloss (R) Y  
 Frank Thompson, Jr. (D) Y  
 Peter Frelinghuysen, Jr. (R) Y  
 Florence P. Dwyer (R) Y  
 William B. Widnall (R) Y  
 Gordon Canfield (R) NV  
 Frank C. Osmer, Jr. (R) Y  
 Peter W. Rodino, Jr. (D) Y  
 Hugh J. Addonizio (D) Y  
 George M. Wallhauser (R) Y  
 Cornelius E. Gallagher (D) Y  
 Dominick V. Daniels (D) Y

## NEW MEXICO

at large: Y  
 Joseph M. Montoya (D) Y  
 Thomas G. Morris (D) Y

## NEW YORK

Stuyvesant Wainwright (R) NV  
 Steven B. Derounian (R) Y  
 Frank J. Becker (R) Y  
 Seymour Halpern (R) Y  
 Albert H. Bosch (R) Y  
 Lester Holtzman (D) N

## NEW YORK (Cont'd)

James J. Delaney (D) Y  
 Victor L. Anfuso (D) NV\*  
 Eugene J. Keogh (D) N  
 Edna F. Kelly (D) Y  
 Emanuel Celler (D) N  
 Francis E. Dorn (R) Y  
 Abraham J. Multer (D) N  
 John J. Rooney (D) N  
 John H. Ray (R) Y  
 Adam C. Powell (D) NV\*  
 John V. Lindsay (R) Y  
 Alfred E. Santangelo (D) N  
 Leonard Farbstein (D) N  
 Ludwig Teller (D) N  
 Herbert Zelenko (D) N  
 James C. Healey (D) N  
 Isidore Dollinger (D) N  
 Charles A. Buckley (D) N  
 Paul A. Fino (R) N  
 Edwin B. Dooley (R) Y  
 Robert R. Barry (R) Y  
 Katharine St. George (R) NV  
 J. Ernest Wharton (R) Y  
 Leo W. O'Brien (D) NV  
 Dean P. Taylor (R) Y  
 Samuel S. Stratton (D) Y  
 Clarence E. Kilburne (R) Y  
 Alexander Pirnie (R) Y  
 R. Walter Riehlman (R) Y  
 John Taber (R) Y  
 Howard W. Robison (R) Y  
 Jessica McC. Weis (R) Y  
 Harold C. Ostertag (R) Y  
 William E. Miller (R) Y  
 Thaddeus J. Dulski (D) N  
 John R. Pillion (R) Y  
 Chas. E. Goodell (R) Y

## NORTH CAROLINA

Herbert C. Bonner (D) Y  
 L. H. Fountain (D) Y  
 Graham A. Barden (D) Y  
 Harold D. Cooley (D) Y  
 Ralph J. Scott (D) Y  
 Carl T. Durham (D) Y  
 Alton Lennon (D) NV  
 A. Paul Kitchin (D) Y  
 Hugh Q. Alexander (D) Y  
 Charles Raper Jonas (R) Y  
 Basil L. Whitener (D) Y  
 David M. Hall (D) NV

## NORTH DAKOTA

at large: Y  
 Quentin Burdick (D) N  
 Don L. Short (R) Y

## OHIO

Gordon H. Scherer (R) Y  
 William E. Hess (R) Y  
 Paul F. Schenck (R) Y  
 William M. McCulloch (R) Y  
 Delbert L. Latta (R) Y  
 Clarence J. Brown (R) Y  
 Jackson E. Betts (R) Y

## OHIO (Cont'd)

Thomas L. Ashley (D) Y  
 Walter H. Moeller (D) NV\*  
 Robert E. Cook (D) N  
 Samuel L. Devine (R) Y  
 A. D. Baumhart, Jr. (R) N  
 William H. Ayres (R) Y  
 John E. Henderson (R) N  
 Frank T. Bow (R) N  
 Robert W. Levering (D) Y  
 Wayne L. Hays (D) NV\*  
 Michael J. Kirwan (D) Y  
 Michael A. Feighan (D) N  
 Charles A. Vanik (D) N  
 Francis P. Bolton (R) N  
 William E. Minshall (R) N

## OKLAHOMA

Page Belcher (R) Y  
 Ed Edmondson (D) Y  
 Carl Albert (D) Y  
 Tom Steed (D) Y  
 John Jarman (D) NV  
 Toby Morris (D) Y

## OREGON

Walter Norblad (R) Y  
 Al Ullman (D) Y  
 Edith Green (D) Y  
 Charles O. Porter (D) Y

## PENNSYLVANIA

William A. Barrett (D) Y  
 Kathryn E. Granahan (D) Y  
 (Mrs. William T.) Y  
 James A. Byrne (D) Y  
 Robert N. C. Nix (D) N  
 William J. Green, Jr. (D) Y  
 Herman Toll (D) Y  
 William H. Milliken, Jr. (R) Y  
 Willard S. Curtin (R) Y  
 Paul B. Dague (R) Y  
 Stanley A. Prokop (D) Y  
 Daniel J. Flood (D) NV  
 Ivor D. Fenton (R) Y  
 John A. Lafore, Jr. (R) Y  
 George M. Rhodes (D) Y  
 Francis E. Walter (D) Y  
 Walter M. Mumma (R) Y  
 Alvin R. Bush (R) Y  
 Richard M. Simpson (R) Y  
 James M. Quigley (D) Y  
 James E. VanZandt (R) NV

John H. Dent (D) NV\*  
 John P. Saylor (R) Y  
 Leon H. Gavin (R) Y  
 Carroll D. Kearns (R) Y  
 Frank M. Clark (D) Y  
 Thomas E. Morgan (D) N  
 James G. Fulton (R) Y  
 William S. Moorhead (D) Y  
 Robert J. Corbett (R) Y  
 Elmer J. Holland (D) N

## RHODE ISLAND

Aime J. Forand (D) Y  
 John E. Fogarty (D) Y

## SOUTH CAROLINA

L. Mendel Rivers (D) Y  
 John J. Riley (D) Y  
 W. J. Bryan Dorn (D) Y  
 Robert T. Ashmore (D) Y  
 Robert W. Hemphill (D) NV  
 John L. McMillan (D) NV

## SOUTH DAKOTA

George S. McGovern (D) Y  
 E. Y. Berry (R) Y

## TENNESSEE

B. Carroll Reece (R) Y  
 Howard H. Baker (R) Y  
 James B. Frazier, Jr. (D) Y  
 Joe L. Evins (D) NV  
 J. Carlton Loser (D) Y  
 Ross Bass (D) Y  
 Tom Murray (D) Y  
 Robert A. Everett (D) Y  
 Clifford Davis (D) Y

## TEXAS

Wright Patman (D) Y  
 Jack Brooks (D) Y  
 Lindley Beckworth (D) Y  
 Sam Rayburn (D) Y  
 Bruce Alger (R) Y  
 Olin E. Teague (D) NV\*  
 John Dowdy (D) Y  
 Albert Thomas (D) N  
 Clark W. Thompson (D) Y  
 Homer Thornberry (D) N  
 W. R. Poage (D) NV  
 Jim Wright (D) Y  
 Frank Ikard (D) Y  
 John Young (D) Y  
 Joe M. Kilgore (D) Y  
 J. T. Rutherford (D) Y  
 Omar Burleson (D) Y  
 Walter Rogers (D) N  
 George Mahon (D) Y  
 Paul J. Kilday (D) Y  
 O. C. Fisher (D) Y  
 Bob Casey (D) Y

## UTAH

Henry Aldous Dixon (R) Y  
 David S. King (D) Y

## VERMONT

at large: Y  
 William H. Meyer (D) NV

## VIRGINIA

Thomas N. Downing (D) Y  
 Porter Hardy, Jr. (D) Y  
 J. Vaughan Gary (D) Y  
 Watkins M. Abbitt (D) Y  
 William M. Tuck (D) Y  
 Richard H. Poff (R) Y  
 Burr P. Harrison (D) Y  
 Howard W. Smith (D) Y  
 W. Pat Jennings (D) Y  
 Joel T. Broyhill (R) NV



## WASHINGTON

Thomas M. Pelly (R)	Y
Jack Westland (R)	NV*
Russell V. Mack (R)	Y
Catherine May (R)	Y
Walt Horan (R)	Y
Thor C. Tollefson (R)	Y
Don Magnuson (D)	Y

## WEST VIRGINIA

Arch A. Moore, Jr. (R)	Y
<b>Harley O. Staggers (D)</b>	N
<b>Cleveland M. Bailey (D)</b>	N
Ken Hechler (D)	Y
<b>Elizabeth Kee (D)</b>	N
John M. Slack, Jr. (D)	Y

## WISCONSIN

<b>Gerald T. Flynn (D)</b>	N
Robert W. Kastenmeier (D)	Y
Gardner R. Withrow (R)	Y
Clement J. Zablocki (D)	Y
Henry S. Reuss (D)	Y
William K. Van Pelt (R)	NV
Melvin R. Laird (R)	Y
John W. Byrnes (R)	Y
Lester R. Johnson (D)	Y
Alvin E. O'Konski (R)	Y

## WYOMING

at large:	
Keith Thomson (R)	Y

\* Mr. Saylor, Mr. Powell and Mr. Anfuso (all listed in bold face) were paired against bill; Mr. Westland, Mr. Machrowicz and Mr. Teague of Texas were paired for bill.

### Voting Record Correction

Last month's INTERNATIONAL TEAMSTER contained a typographical error in the record votes of Representative Don Magnuson, Thor Tollefson and Walt Horan, all of Washington. Magnuson should have been recorded as voting in favor of organized labor on both votes. Horan should have been recorded as voting against organized labor on both votes. Tollefson voted against the Landrum-Griffin bill, which was a vote in favor of organized labor, but voted against recommitting the bill back to the House Labor Committee.

# McCarthy Urges Families Into Politics

"History demonstrates clearly the need for party politics in democratic government," Senator Eugene McCarthy of Minnesota declared last month, while urging American families into political action.

"Every citizen should realize the need for political parties and for party activities," the young Senator said in a speech to the 11th annual convention of the Christian Family Movement at Notre Dame University.

Citing 1960 as an election year for the President of the United States, one-third of the 100-member Senate and 437 members of the House of Representatives, McCarthy said:

"It is no longer possible for the citizen to avoid politics or to set it apart for special times and places. Neither is it possible any longer to isolate children and young people from politics."

McCarthy, himself, is a good example of people getting into politics. Immediately after World War II, he

was a sociology professor at St. Thomas College in St. Paul, Minn. He dug into political activity to help elect Hubert Humphrey, mayor of Minneapolis. Humphrey is now Minnesota's senior Senator, and a strong Presidential candidate.

In 1948, McCarthy was elected to Congress, and last year he was elected to the Senate. Others who got into politics with McCarthy right after the War were Orville Freeman, who is now governor of Minnesota, and Joseph Karth, who succeeded to McCarthy's old seat in the House.

McCarthy said that a Presidential election year is the best time to impress upon children a clearer understanding of the meaning of democracy.

"Parents have a very special responsibility to develop right attitudes and to advance the political education of children," he said.

"This responsibility is of special importance because of the significance of citizen participation in politics in a democracy, and because politics can no longer be excluded from the home or the young people protected from it."



McCarthy

# No Action on Jobs for Elder Citizens

Legislation to improve job opportunities for older people was introduced in the closing days of the 86th Congress last month by Senator Hubert Humphrey of Minnesota and Rep. Roman Pucinski of Illinois. Congress adjourned before taking action on the bill.

The Humphrey-Pucinski proposal would provide that employers could compute the additional costs of fringe benefits involved in the employment of older workers, as compared to the youngest age group doing similar work, and the additional cost of hiring the older person would be allowed as a credit against income tax for the employer.

The lack of equal opportunity of older people to gain employment is recognized today as one of the nation's great injustices. Many people find themselves unemployed at 45 years and "too old" to get a new job, despite the fact that they have physi-

cal and mental ability to continue working for years.

Humphrey said, "More and more of our older workers—as well as people in the middle age group—are finding job opportunities closed to them. One of the major reasons is that the added cost to employers of hiring older workers proves too great a burden, and therefore it is the younger workers—even with a minimum of experience or training—who are hired instead.

"The employer today must not only think in terms of hourly wages, but he must also think in terms of the cost he will bear for pension and welfare programs and other so-called fringe benefits," Humphrey pointed out.

"It is not fair that society should ask an individual employer to bear such additional costs which are entailed in hiring our older workers."



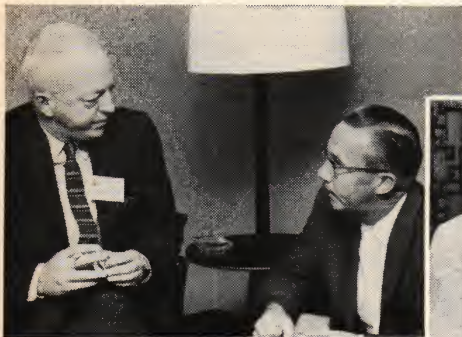
General President James R. Hoffa  
addresses attorney conference.



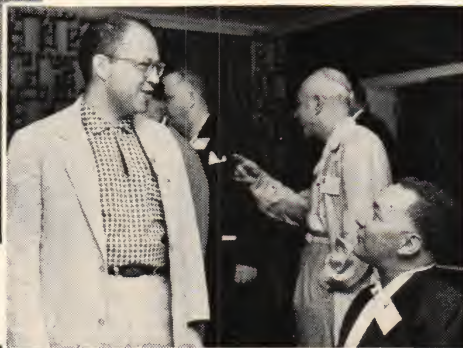
Edward Davis, President Hoffa.



Joseph Konowe, E. Bennett Williams.



L. N. D. Wells, Jr., M. W. Miller.



Richard Lipsitz, Anthony J. Sabella.



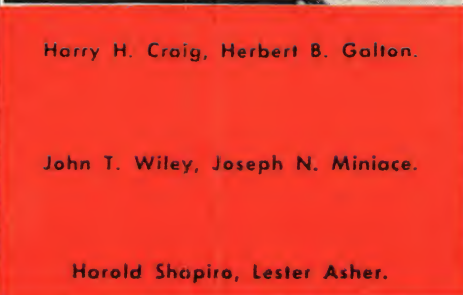
A. Couch, T. Parsonnet, J. McBurney.



Harry H. Craig, Herbert B. Galton.



John T. Wiley, Joseph N. Miniace.



Harold Shapiro, Lester Asher.

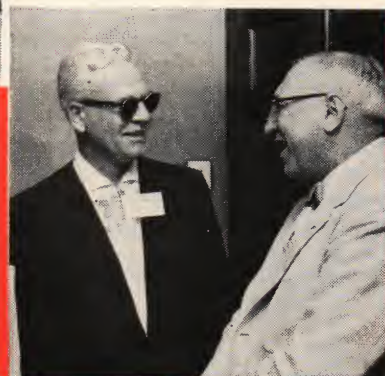
## IBT Attorneys Study Strikebreaking Bill

**T**TEAMSTER attorneys from every corner of the country attended the annual Teamster legal conference held this year at White Sulphur Springs, West Virginia. Working on a round-the-clock schedule of meetings, 110 top men in the legal profession analyzed and re-analyzed each title and sub-section of the strike-breaking legislation that hangs heavy over the head of organized labor in America. Describing the legislation as "cleverly drafted," they were in agreement that it is not designed to curb or prevent abuses, but designed to create turmoil and conflict between labor and management in the United States.

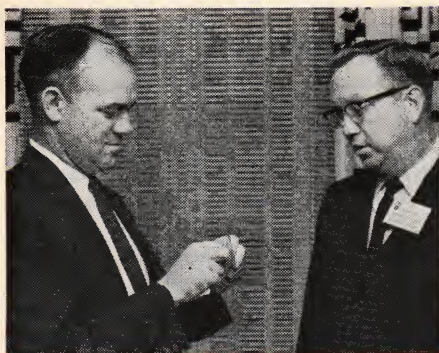
Later last month Teamster attorneys held a special session in Chicago where further study of the legislation topped a two-day agenda.

General President Hoffa has announced that the membership of the Union will be fully informed of the result of the studies as soon as they are completed.

"How well we understand the provisions of this punitive legislation may well determine the progress organized labor will make in the months that lie ahead," Hoffa advised.







Clarence Rhea, George C. Hawkins.



Herb Ansell, Norman Zolot.

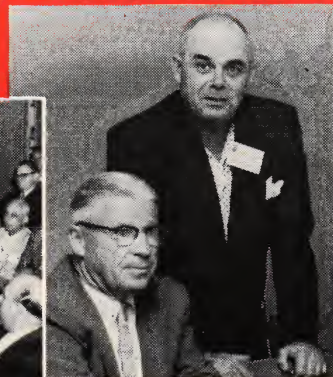


Frank W. Hylton, David D. Weinberg.



David Uelman, I. B. Padway.

Discussion at White Sulphur Springs.



Fred Tobin, Daniel J. Leary.

Nicholas S. Falcone, George Schiro.



Zachary Schneider, David Friedland.

Raymond Bergan, Richard Carney,  
Phil Cutler.



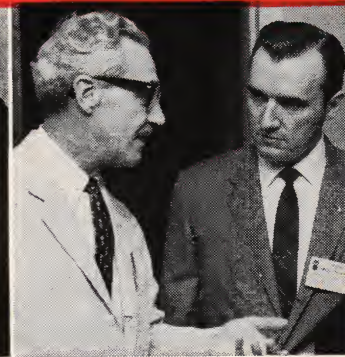
Alfred Kamin, David D. Weinberg.



Thomas E. Bracken, Jacob J. Edelman,  
P. H. McCarthy, Jr., James P. Miley.



Robert C. Knee,  
Robert C. Knee, Jr.





# Gibbons Denounces TIME Cover Story

*Editor's note: Teamsters Vice President Harold J. Gibbons denounced Time Magazine last month a "part of the great anti-labor propaganda apparatus which the McClellan Committee has fostered in its hopes of destroying the American labor movement." In a letter to Roy Alexander, managing editor of Time, Gibbons charged that "by rehashing unproven McClellan Committee charges against James R. Hoffa and the Teamsters, you cleverly but dishonestly presented a picture which was far from the truth." In an expertly documented rebuttal of Times' charges, Gibbons cited the following examples of the magazine's dishonest reporting:*

(1) "In charging that the Teamsters are a 'hoodlum empire,' you cite only 11 persons, out of the more than 3,000 full-time business agents of the union across the country. Of the individuals singled out by the McClellan Committee for its particular scorn up to last year, only 14 are still in the Teamsters Union and their cases are being carefully studied. The same procedure will be followed with the 'newer' batch of charges. It is significant that whenever McClellan Committee charges have been tested in the courts, the accused have won acquittal. This hardly proves a 'hoodlum empire.'

(2) "In charging the Teamsters have used terror and payoffs to gain immunity from the law, you are on your weakest ground. None of your charges has ever been proved.

(3) "In charging that Hoffa has 'grossly misused' millions of dollars in Teamster funds, you are parroting the McClellan Committee practice of denouncing any use with which you would disagree as 'misuse.' This is hardly a fair standard. The fact is that not one dime of Teamster funds was used in any way by Hoffa without the approval of his membership.

(4) "In charging that Teamster officials have crushed democracy within the union ranks, I can only say that you sell the truck driver short. I defy anyone to 'crush' any of the independent, democratic spirit of the American truck driver. The fact is that Teamster locals are more autonomous than the locals of any other International Union in America. Publications, including Time, delight in recounting the instances in which incumbent officers are defeated for re-election in our union. This does not happen in un-democratic unions. I will put our union next to any on the issue of trade union democracy. In this connection, your reference to my actions in winning the presidency of Joint Council 13 in St. Louis is totally in error. I did not bring Local 447, Carnival Workers, into the council 'shortly before the election,' as you state. This local was affiliated with the council from the time it was chartered some two years earlier.

(5) "Your reliance on McClellan Committee charges for the bulk of your article is surprising in view of your handling of the Committee last April (Time, April 13.). At that time, you quoted a Republican member of the committee as follows: A lot of the things that are done are unfair. For example, staff investigators will be put on the stand and will make statements without any proof. These statements become part of the record, but often they are nothing more than the investigator's belief. There is no effective rebuttal.

(6) "In the same way, the 'big lie' technique you have employed in writing about the Teamsters Union does not permit an effective rebuttal in the short space of a letter. But your readers should know that you have misled them and that you have willingly become part of the great anti-labor propaganda apparatus which the McClellan Committee has fostered in its hopes of destroying the American labor movement."

Sincerely yours,

Harold J. Gibbons  
Executive Assistant to  
the General President

HJG:gv



## One Congressman's Ordeal

### Business 'Turned on the Heat'

*Rep. Erwin Mitchell (D. Ga.) was the only Congressman from his state to vote against the vicious Landrum-Griffin Bill in the House. His stand took courage, as the following story relates. Printed in the ATLANTA JOURNAL, the story documents the pressures mounted by big business against members of Congress in the all-out management effort to cripple the labor movement. Here are excerpts from the JOURNAL.*

**By Harold Davis  
Atlanta Journal Washington  
Correspondent**

Washington, Aug. 15—It is no insult to the well-won honors of Rep. Phil M. Landrum to ask today about Rep. Erwin Mitchell of Dalton.

Why was Rep. Mitchell, the youngest member of the delegation both in age and service, the only Georgian here to fight the Landrum labor bill?

By nature Erwin Mitchell is a warm and gregarious person. But today he is a lonely man and, some think, a brave if perhaps mistaken man. In the emotional out-pouring that surrounded the passage of the Landrum bill this week, he stood by what he regarded as principle and stood off forces that would have powdered Stone Mountain.

Listen to this letter from E. T. (Gene) Barwick, a big manufacturer who runs E. T. Barwick Mills in Dal-

ton and LaFayette. It was the fifth communication Mr. Mitchell received from Barwick about the Landrum bill, and was in response to a letter explaining Mitchell's position:

"I personally spent time, money and energy getting you elected, hoping that we had a man who would be above the ordinary. I can assure you that I will devote one hundredfold more energy, time and money in getting you out, if you support the kind of legislation you announce in your letter."

#### A Telegram

Here is a telegram from another manufacturer in the northern end of Mr. Mitchell's district:

"Received your two pages of hogwash . . . We along with many others are very disappointed that you are so confused in your thinking on this matter."

Nine Georgia solons in the House committed themselves to Phil Landrum. Erwin Mitchell withheld himself and backed the committee bill.

Why?

Any visitor to Mr. Mitchell's office during the week of Aug. 3 to Aug. 8 could have had the answer from the horse's mouth almost any hour of the day or night. Congressman Mitchell did little else from early morning until far into the night except sit at his desk, telephone to his ear, and try to explain to callers from Georgia why he was supporting the committee proposal and not the measure written by his fellow Georgian.

"I am backing the strongest labor bill that can become law," he said in answer to call after call.

"Despite Phil Landrum's sponsorship of it, the Landrum measure is a Republican bill. It has the endorsement of President Eisenhower and when it is voted on, the Republicans will supply the majority of the votes it gets."

Phone calls of this kind normally lasted between 15 and 30 minutes and were completely futile from Mr. Mitchell's point of view. He is not satisfied he convinced a soul he was right.

"The first call came from a member of a local Chamber of Commerce in the district before the Landrum bill had even been introduced," Mr. Mitchell said.

"That was apparently the start. I told him I didn't know what was in the bill, that it had not even been printed, and that I didn't think he knew what was in it either.

"He was just buying a 'label,' that the Landrum bill was a strong labor bill."

That first call came on Friday, July 24.

The following Monday, three or four more came in saying "that I was supposed to be wavering on the Landrum bill, and they were apparently related somehow to the first call.

"I told the callers I could not support a bill I had never read and, that was not even in print."

The word then darted around the Seventh District that Mr. Mitchell was "wavering" on the Landrum bill.

"From then on," said the congressman, "the tempo began to pick up day by day and night by night. All day Tuesday, Wednesday, Thursday and Friday, I was taking call after call and was doing nothing else.

"When we finally closed the office at night and I went to the Coronet Hotel to get some rest, I always carried a fistful of unreturned call slips with me and tried to make the calls from the hotel.

"I was often on the phone until 1 a. m."

#### Manufacturer's Pressure

Almost without exception, said the congressman, the telephone pressure was from manufacturers or somebody representing manufacturers. (The Seventh District has more than 100 manufacturing plants in the tufted textile group alone.)

"I either knew every one of them personally or had had dealings with them over the telephone or by mail.

### TIME's Bias

"Time Magazine has long since ceased to be—if indeed it ever was — a news magazine, strictly so-called. It has become, for all practical purposes, a journal of opinion, with an obvious bias in favor of one political party and even more obvious bias in favor of the management point of view in the field of economics and labor relations."

MONSIGNOR GEORGE HIGGINS,  
Director,  
Social Action Department,  
National Catholic Welfare  
Conference



Most of them were supporters of mine."

Many did not mince words.

One of the wealthiest and most influential businessmen in the district called and said: "Don't make it difficult for us to support you, Erwin." Then he added, "Campaigns are expensive, you know."

Many of the calls were from the congressman's bewildered friends and family, who found themselves suddenly under great pressure.

"One of my friends who was very active and prominent in my campaign called me at least a dozen times over the whole period," said Mr. Mitchell. He said pressure was being applied to him in the manufacturing end of his textile business.

"He said he was going to stay with me politically but that he wondered if I wasn't hurting myself."

Another long-time friend said: "They have been after me all week. I've had eight or 10 calls coming mostly from Atlanta. I've just about given up working and am trying to protect you from getting lynched. I am spending all my time on the telephone."

On Thursday of that week, the pressure was so intense that Mr. Mitchell came out of his office, his face gray with fatigue, and said: "You know, I've been saying everybody has called me but my wife and my banker. Well, my banker just called." (It was a friendly, cordial one.)

One fact kept creeping into all the friendly telephone messages.

"The pressure is coming from Atlanta," they all said.

The Atlanta Journal-Constitution called the Georgia State Chamber of Commerce in the Forsyth Building in Atlanta, to inquire if the state chamber were responsible.

"We are not trying to put the heat on (Mr. Mitchell)," said Walter Cates of the state chamber in a telephone interview.

"We just want him to know that he's got some constituents down here who support the Landrum bill."

Cates said the state chamber enlisted the aid of the Associated Industries of Georgia and the Cotton Manufacturers group in getting a stream of telephone calls directed toward the congressman and his friends.

Mr. Mitchell said the pressure was the most terrible he was ever under in his life, even worse than when he was a fighter pilot with 18 missions in

World War II. The pressure was made worse by the physical exhaustion from staying on the telephone 14 hours a day.

There was also another worry. Rep. Mitchell's father, D. W. Mitchell Sr. of Dalton, is recovering from two heart attacks and he was being kept on the phone several hours a day, both by friends and pressure-lobbyists.

Finally, the congressman told his father to stop answering the telephone and to tell everybody to call Washington collect.

It is a well-known medical fact that there is a connection between nerves and physical well-being. On Wednesday in the week of Aug. 3-8, the palms of Rep. Mitchell's hands broke out in mottles, purely a nervous symptom.

In addition, there was nerve-wracking pressure of a wholly different kind.

Georgia is going to lose a congressional seat as a result of the 1960 census. A report was out that Rep. Carl Vinson of Milledgeville, aware that his own Sixth District is the most vulnerable geographically and the easiest to split up, had decided to pick out another sacrificial goat to get himself off the spot.

The report said he had selected Mr. Mitchell.

Accounts that Mr. Vinson would like to purge Mr. Mitchell reached print in Georgia last Sunday and caused a flurry of mail to arrive in the nation's capital.

Most of the businessmen who wrote thought Rep. Vinson had a splendid idea.

Finally, the pressure, inwardly and outwardly, became almost too much.

Rep. Mitchell thought he was having a heart attack.

Seated at his desk talking on the telephone, he suffered an intense pain in the arm, shoulders, and chest, often the symptoms of a coronary.

After the initial fright wore off, it was revealed as being nothing but extreme tension and nerves.

Nothing is better for the nerves than getting on the offensive when under attack. On Thursday, Aug. 6, Mr. Mitchell decided the time for attack had come.

He sat up most of the night Thursday in his hotel room writing out in longhand a statement he would issue to the press for use the following Sunday, Aug. 9.

"The greatest political hoax in

many years is now being perpetrated on the American people by the Republican party," it began. "The Republicans want an issue rather than a law."

Late in the day Friday, his staff mimeographed the statement in his office and released it to all news media. (It was published as the lead story in last Sunday's Atlanta Journal-Constitution.)

The reaction from the state was spirited.

"I sincerely hope you will switch your support to the Landrum-Griffin labor bill," wired a constituent. "Regardless of your personal convictions, it is the considered opinion of the people in this area that the Landrum-Griffin bill is the only worthwhile labor bill before the House."

Another: "You are the hoax being perpetrated on the American people."

There were also favorable ones.

"Congratulations on your stand against Landrum bill," wired a voter. "Stick to your guns."

Said another: "Congratulations. A Georgia congressman comes of age."

Through last Friday night, the messages from Georgia were about evenly matched. A count showed 160 backed Mitchell's stand and 152 criticized it.

"Do you know what the most ironic thing about all this is?" Mitchell asked. "In all the hundreds of the telephone calls, letters and telegrams I have had, not a single, solitary one asked me to support the piece of legislation I was backing."

"The business interests all wanted the Landrum bill. The few telegrams (no telephone calls) I got from labor wanted the Shelley bill."

"Not a soul wanted the committee bill except me."

Last Thursday on the House floor, Erwin Mitchell was the only Georgia solon to vote against the Landrum bill. He had earlier voted against the Shelley bill.

He never got a chance to vote for the committee proposal because it would have been in order only if the Landrum measure failed to pass. Then on Friday, with the crucial votes already all cast, he voted for the Landrum bill on final passage as he had announced he would, not wishing to be in a position of voting for no labor law at all this year.



## 'Bud' Workers Vote Teamster

The Teamsters Union scored another tremendous victory over the AFL-CIO in a head to head organizing battle in late August at the big Budweiser brewery in Tampa, Fla.

However, the AFL-CIO is now using all legal gimmicks against the Budweiser workingmen to prevent them from joining the Teamsters. The result is that it will cost each man at least \$1,000 and some as much as \$1200 in the next twelve months.

The National Labor Relations Board is assisting the AFL-CIO by refusing to certify Teamsters Local 388 as the bargaining agent for the Budweiser workers. NLRB refused certification after the AFL-CIO requested that it deny Teamster membership to the Bud employees.

Local 388 polled 57 votes and the AFL-CIO Brewery Workers only 39 in the NLRB election held August 28. However, the AFL-CIO immediately petitioned the NLRB to withhold certification because the Teamsters did not win a majority of the 119 votes cast.

The Teamsters are appealing the NLRB decision, and have asked the Budweiser Company to pay its employees according to the wage schedule that Teamsters have negotiated for Schlitz Brewery employees, also in Tampa.

Earlier this year, the Teamsters handed the AFL-CIO a stunning defeat in an organizing battle at the Schlitz plant. Teamsters brewery contracts call for approximately \$20 more per man per week than do the AFL-CIO contracts.

## McClellan Runs

Senator John McClellan of Arkansas, the self-proclaimed "defender" of the American working man, hurriedly left town when the vote to extend the life of the Civil Rights Commission came up. He also has been strangely silent while his supporters have been bombing schools, homes and automobiles to prevent Negro children from getting a decent education. Did you ever hear McClellan complain about the minimum wage law in Arkansas? It guarantees the working man a whopping 16 cents an hour! Yet Arkansas is laughingly called "The Land of Opportunity."

## AFL-CIO Challenged on Negro Organizing

The National Bar Association has called upon the AFL-CIO to follow the policy of the International Brotherhood of Teamsters, and begin to organize Negro and white workers in the Southern oil and textile industries into the same local unions.

The Bar Association for Negro lawyers said in a resolution unanimously adopted at their August convention, "International unions affiliated with the AFL-CIO continue to retain in their constitutions racial exclusion clauses which bar the entry of Negro workers. Still others follow the practice of relegating their Negro members to segregated jim-crow locals, which in most instances, exist in name only.

"The discrimination policies and practices persist, notwithstanding the . . . AFL-CIO standing committee charged with the responsibility of eliminating segregation and discrimination in the labor movement," the Bar Association declared.

"It should be obvious to all far-sighted labor leaders that the organization of the Southern worker and the betterment of his wages and working conditions constitute immediate and imperative tasks for organized labor.

"The achievement of this imperative has been attempted before but it was not undertaken on the basis of absolute untainted equality of Negro and white workers."

The resolution continued: "The National Bar Association welcomes the published announcement of one international union — the Brotherhood of Teamsters—that it already has commenced a campaign in the South to organize Negro and white workers in the oil and textile industries into the same local unions, with equality of wages and equality of union representation. We call upon the AFL-CIO to do likewise. In any such effort we pledge the continuing support of this Association."

## Civil Rights Inaction

American Negroes should read the fineprint in the report of the Civil Rights Commission, which is not to be confused with the Civil Rights Division of the Department of Justice. The Commission reported that the work of the Civil Rights Division has been "disappointing." The *New York Times* commented: "The blunt fact is that not a single Negro has been enabled to register or vote as a result of any Justice Department action to enforce the 1957 (Civil Rights) Act." William Rogers, head of the Justice Department, is Vice President Nixon's chief advisor, and Nixon is campaigning on civil rights.

## New Jersey Organizing Drive

Teamster organizing drive involving Esso workers in New Jersey opened this month with a personal letter to the workers from General President Hoffa. Here Andy Contaldi, Chairman of the Esso Labor Council, greets Harold J. Gibbons, Executive Assistant to President Hoffa, during the recent convention of Joint Council 73.





## Ten-Point Code Proposed For Congressional Committee

Teamster General Counsel Edward Bennett Williams urged the annual convention of the American Bar Association last month to support a code of procedures for Congressional investigations "to end the abuse of human rights by Congressmen."

Williams said that Congressional committees and their investigators have violated the American bill of rights and the mandate of the U. S. Supreme Court. They have usurped the power of grand juries and the courts, he said.

"The power of Congressional inquiry confers no right to conduct an investigation for the purpose of castigating, humiliating, degrading, exposing or punishing a witness or any other person.

"Congress can maintain the respect of the American people only if it assumes the responsibility of safeguarding the legal and constitutional rights of all witnesses before its committees, and all other persons who may be adversely affected by exercise of the Congressional power of inquiry," Williams declared.

He said that Congressional committees abuse their right of subpoena powers "by demanding records that are of no concern to them." He specifically cited the McClellan Committees' demand for all the records of the International Brotherhood of Teamsters dating back to 1945.

"It would take 15 freight cars to haul the records demanded by the McClellan Committee from the headquarters of the Teamsters Union," he said.

Williams proposed a 10-point code of proper behavior for Congressional investigating committees. They include the following:

—All subpoenas or requests to testify shall be in writing, shall state the question under inquiry, and the subject matter of the interrogation to be directed toward the witness, and the subpoena shall be served at least 48 hours in advance of his appearance.

—No subpoena shall be issued without the approval of the majority of the committee unless the majority has delegated the power to issue sub-

poenas to the chairman and a member of the minority political party.

—Every witness shall have the right to be accompanied by counsel.

—Every witness shall have the right to read a prepared statement of reasonable length into the record.

—No witness shall be compelled to testify at any hearing unless at least two members of the committee are present.

—No witness shall be compelled to have his testimony broadcast, televised or filmed for newsreel.

—No witness who has testified in executive session shall be required

## Battery Switch Saves Lives, Money

A new life and money saving product, manufactured by the Sampson Master Switch Company in Clinton, North Carolina, is attracting the attention of the country's common, private and contract truck carriers interested in top safety practices and low operating costs.

The Sampson Master Battery Switch, rugged and simple in design, grounds a truck, boat or car battery to the base of the switch. The switch, in turn is grounded to the motor. A simple button control located in the cab of a truck, or the dash of a car or boat, disconnects the battery from the rest of the wiring system when the equipment is not in operation. The Sampson switch eliminates fire hazards, greatly increases the life of a battery and protects unattended vehicles or boats from theft.

The new safety equipment is now being widely used by gasoline and butane loading terminals, oil and other petroleum products distributors where guarding against fire accidents is a paramount factor in their daily operations.

Woodrow Turner, a Teamster driver in Sampson County, North Carolina, has the Sampson Master Switch Company invention to thank for saving the life of both him and his son.

While driving for the Phillips Ice Cream Company there, his truck was upset and both Turner and his son were pinned in the cab. The vehicle's gasoline lines broke, saturating the

over his objection to repeat his testimony on the same subject matter in open session.

—All testimony which is likely to defame another person shall be heard in executive session. If defamatory testimony is to be offered, the person defamed shall be notified in advance, and shall be entitled to testify on his own behalf at the same hearing.

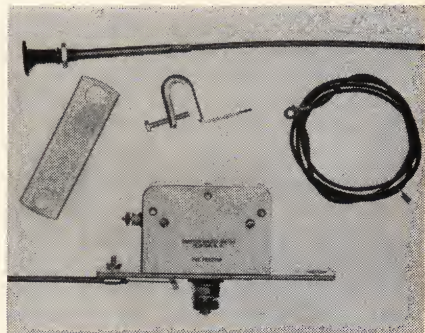
—No committee report containing defamatory statements shall be made public unless the person defamed is given an opportunity to testify before the committee, and his testimony published or summarized as part of the report.

—Every person shall be given a reasonable opportunity to inspect the transcript of his testimony in person and by counsel and to make proper correction.

pair with gas. The truck was equipped with a Sampson "Battery Guard" switch. Said Turner in a sworn affidavit: "I sincerely believe that the battery guard switch saved our lives and our truck."



New Sampson battery switch would have prevented property loss shown.



Installation of new safety "Battery Guard" takes but twenty minutes.



## IAM Asks Probe Of Business

The Executive Council of the Machinists Union has urged Congress to launch an investigation of corruption among businessmen and industrialists, and predicted that it would make alleged labor corruption pale in comparison.

"The documented disclosures of the many and widespread business uses of prostitutes by some of the largest and supposedly most respectable corporations in America" should be one of the first areas investigated, the Council said in a resolution distributed to all members of Congress.

### Tax Evils

Another area that should be probed is the \$250-million which, as a matter of public record has been deducted by employers as withholding taxes from wages of employees, but which has never been turned over to the U. S. Treasury."

The resolution added, "The well-known examples of tax evasion by corporate boards of directors who vote themselves stock options worth millions at the expense of the rank-and-file stockholders and, ultimately, at the expense of all other taxpayers" is a third area needing immediate exposure.

### \$5 Million

The Machinists referred to a recent study by Life Magazine which reported that "\$5-billion normally changes hands among businessmen and industrialists in the form of kickbacks, payoffs and bribes every year."

What corruption that does exist in the labor movement, the resolution stated, "did not—and could not—exist in a vacuum."

"It is, in fact, a part of a pattern of corruption that is deeply rooted in the ethical deterioration of business and industry in America today. This deeper corruption of our business society is, of course, well known to the lawmakers and to the Administration in power.

"It is, therefore, fitting that since they have used corruption as an excuse to legislate away the rights of trade union members and officers, they should not undertake to investigate and correct the greater corruption that exists in so many other areas of our society," the resolution declared.

## Teamster Rescues Mother and Daughter



Teamster hero William Mount.

"The world is a better place for having people like Teamster William Mount," declared Mrs. H. D. Dixon of Galveston, Tex., who, along with her 11-year old daughter, were saved from death by Mount during the summer.

Mrs. Dixon, in a letter to Mayor Martin Bryan of Rosville, Ga., told of Mount's heroism this way:

"During the last day of June we stopped off in Panama City, (Fla.) on our way home from Florida, and on the morning June 27th we went bathing at the beach.

"There were four of us—my daughter, Betty Jo, Mrs. Albert Vassallo, Cathy Vassallo and myself. After only

a few minutes in the water we were caught in the undertow, and were in serious trouble.

"There was only one lifeguard on the beach, and he had more than his hands full with the four of us.

"Mr. Mount, from your city, with no thought of himself or the danger grabbed the tow rope that the life guard had been unable to bring with him, and swam out to my daughter and myself who were battling the undertow, thus saving our lives," Mrs. Dixon said.

Mount is a member of Teamsters Local 515 in Chattanooga, Tenn., and is employed by Associated Transport Company. He is married, has three children of his own, and has been a member of the Teamsters for six years.

Rep. Clark Thompson of Texas praised Mount for his bravery in a statement in the Congressional Record, and also placed Mrs. Dixon's letter to Mayor Bryan in the Record.

Mount, himself, discounted the idea that he had done anything out of the ordinary. He said, "I did only what any other man would have in a like situation."

Mrs. Dixon, however, disagreed. She said, "I feel very strongly that Mr. Mount should get recognition in your hometown paper, and also in his church for his very worthy deed. His bravery and courage will be forever in our hearts. . . . The world is a better place for having people like him in it."

## Blasts Demos

Louis Hollander, chairman of the AFL-CIO's New York COPE, denounced the Democratic Party last month, and simultaneously praised Republican Governor Nelson Rockefeller and Republican Senators Jacob Javits and Kenneth Keating. Hollander said of the Democrats: They doubled-crossed us, and the Republicans ignored us because they felt sure we would be on the other side anyway." In the future, Hollander said, our group will avoid entanglements with either party.



# A Friend of Labor Fights Alone

(Continued from page 19)

present one. In that case, pressures built up during 6 years of war, and suppressed by the controls on both wages and prices, were suddenly released. The result was a tremendous wave of serious and long strikes. The public acquired the feeling that labor had become too powerful and needed to be curbed. The result of that feeling was the Taft-Hartley Act, which brought many desirable reforms, but certainly significantly unrelated to the spectacular strikes in the mass production industries. In the 12 years since enactment of the Taft-Hartley Act the secondary boycott provision has become recognized as an extremely complex piece of legislation. The 12 years' experience suggested, to all who understood it, a need for revision, both on behalf of employers who suffered from legislative loopholes and on behalf of unions who suffered what any fair-minded person would consider injustices.

In banning secondary boycotts, the Taft-Hartley Act does not provide any allowance for the equities involved in the primary labor dispute. Thus, a canning factory employer who was committing every kind of unfair labor practice, and was paying substandard wages, and with whom the union had a primary dispute, could have his canned goods sold at retail stores, free from secondary pressure by the union. By preventing the sale of the cans at such a store, in many instances little hardship or loss would have been caused to the owner of the store; and a law permitting the union to stop handling such unfair products, provided the retail store suffered no serious economic loss, might have been developed. The Landrum-Griffin bill has made no effort to cure this problem.

The secondary boycott ban is based upon the concept of two employers—a primary and a secondary employer. The theory is that a neutral employer should not be compelled to suffer because of a labor dispute the union has with somebody else, but the theory breaks down when the two employers are "allies." Senator Taft said that the secondary boycott section "is not intended to apply to a case where the third party is, in effect, in cahoots with, or acting as a part of, the primary employer." The National Labor Relations Board

and the courts have failed to keep Senator Taft's concept in mind.

A further limit on labor's right is in connection with the restriction on picketing when such picketing is not for the purpose of inducing employees. There has been no showing that this is an unfair device. Labor has traditionally been accorded the right to tell the public, particularly the buying public, that a particular product sold by a store has been produced under unfair conditions. The conference bill carefully preserves the right to advertise, but it bans the only effective type of advertisement in the form of a marching sign.

This bill does not stop with threats and with illegalizing the hot cargo agreement. It also makes it illegal for a union to "coerce, or restrain." This prohibits consumer picketing. What is consumer picketing? A shoe manufacturer sells his product through a department store. The employees of the shoe manufacturer go on strike for higher wages. The employees, in addition to picketing the manufacturer, also picket at the premises of the department store with a sign saying, "Do not buy X shoes." This is consumer picketing, an appeal to the public not to buy the product of a struck manufacturer.

I am saying, Mr. President, that if this proposed legislation is enacted, then this great language, precious to the rights of American labor, spoken by the court in the Goldfinger against Feintuck case, will become empty words.

Let me repeat what the court said:

Where the manufacturer disposes of the product through retailers in unity of interest with it, unless the union may follow the product to the place where it is sold and peacefully ask the public to refrain from purchasing it, the union would be deprived of a fair and proper means of bringing its plea to the attention of the public.

We take a long and backward step when we legalize consumer picketing. It is not enough to say that the union can make its appeal by newspaper advertisements and leaflet distribution. Advertisements are expensive, and both may be ineffective to quickly and dramatically catch the public's eye. Picketing is usually the only effective way of reaching the consumer at the only place where it

matters—where the product is sold and at the time that the customer is interested in buying it. When we prohibit consumer picketing we compel the public, through ignorance of the situation, to side with the employer rather than the union. We prevent the consumer from making his own choice.

I now turn to a discussion of recognition and organizational picketing. Two illustrations of organizational picketing, I think, ought to illustrate the point I want to make.

First. At P company, a small furniture manufacturing plant away from a city, the wages are relatively low and the workload high. Some employees want a union and seek aid from union X. Union X assigns an organizer and the campaign begins. P company learns about its employees' interest in the union and embarks on a widespread campaign against the union. Interviews with individual employees emphasize the benefits to be gained from staying nonunion. The union's campaign is "free speech" to a standstill; the employees have become scared for their jobs. One of the union's leaders who has had low production records is discharged. Two others are laid off because of lack of work. Union X might file charges with the NLRB, and start the long and doubtful process of adjudicating the charge. It might be 3 years before P company is told to stop committing unfair labor practices. Under these circumstances, the union determines to picket for organizational purposes. It might dissuade P company from the campaign—it might give the employees courage to join. Is there any reason why such a picket line must be limited to 30 days; why the union must submit to an NLRB election which it will certainly lose?

On what grounds of fairness can this proposal be submitted? Organizational work is not tea party work. It is tough. It is important. The organizers use their economic rights to call the attention of the employees and of the public to the undesirable working conditions which prevail in some parts of the country. Is this a part of the scheme to keep some sections of the country unorganized, and thus do great competitive damage to employers in high labor standards States? I think so. I shall be no party to it.



## Ike Got \$214, 250 From Steel Firms

Nationally-syndicated columnist Drew Pearson has disclosed that the big steel companies gave President Eisenhower \$214,250 to run for President in 1956.

The significance of Pearson's information is that President Eisenhower is playing a role that is helping these big steel corporations and hurting the Steelworkers in the current steel strike.

Eisenhower has maintained a "hands-off" policy which is what the steel moguls have requested. The steel corporations are trying to starve the striking steelworkers into accepting a new contract without wage increases. As long as Eisenhower refuses to use the power of his office to bring about a reasonable settlement of the strike, the steelworkers suffer.

Here are the facts that Pearson published:

National Steel executives gave Ike \$37,200. The chief officer of the company is George Humphrey, former Secretary of the Treasury in the Eisenhower Administration.

Republic Steel executives gave Ike \$16,300. George Allen, Ike's golfing partner and card-playing crony, is on the board of directors of Republic Steel.

U. S. Steel executives gave Ike \$26,800. It was this group that carried the Pennsylvania delegation away from Senator Robert Taft to Eisenhower at the 1952 Republican convention.

Other steel companies who have given Ike money include:

Armco Steel, \$96,450; Bethlehem Steel, \$8,750; Inland Steel, \$3,150; Jones and Laughlin Steel, \$25,800.

Pearson reported that "the argument which steel friends have made to Eisenhower is that if the government will stay out of the steel negotiations, the steel companies can give the union a defeat it will not soon forget. They claim enough steel is on hand so the economy will not suffer until October."

Pearson also noted that in comparison to the \$214,250 that Ike received, the steel executives contributed only \$1,000 to the Democratic Party.

## Notices Required Under T-H

Under Section 8 (d) of the Taft-Hartley Act, it is a refusal to bargain collectively in good faith if there is a strike in support of a request to terminate or modify a contract, unless the employer was notified in writing of the union's intent to terminate or modify at least 60 days prior to the date upon which the termination or modification is to take place, and unless notice of the dispute was given to the State and Federal Mediation Services within 30 days after the 60-day notice is sent to the employer.

According to David Previant, chief labor counsel for the IBT, the 60-day notice to the employer and the 30-day notice to State and Federal Mediation Services must be given even though the contract may provide for only a 30-day notice to the employer to terminate or modify.

The National Labor Relations Board has held that unless *both* of the required notices are given, it can order the Union to cease and desist from engaging in a strike. Additionally, during the period of such strike without notice, the employees lose their status as employees and are, therefore, deprived of the protection given to employees under the Taft-Hartley Act. For example: they may be discharged.

The notices must always be given if there is a contract right to strike in support of collective bargaining de-

mands, either at the expiration or renewal date of the existing contract, or in connection with a mid-term reopener.

Sometimes mid-term reopeners do not expressly reserve the right to strike and, in effect, give the union only the right to talk about changes in the contract. This kind of mid-term reopener is of little value. An effort should be made, in all cases, to expressly reserve the right to strike in connection with a contract reopener at any time.

However, even where there is no express right to strike on a contract reopener, it is advisable to give the 60-day and 30-day notice, since there may be some development, resulting either from the action of the employer or otherwise, which might suddenly open up the right to strike, and the union should be in a legal position to take advantage of the opportunity, should it so desire.

The only strikes for which the Taft-Hartley notices do not have to be given are (1) strikes for organization; (2) strikes for a contract where there was no previous contract in existence between the striking union and the employer; (3) strikes permitted by contract to enforce the contract after grievance procedures are exhausted or for breach of contract, such as failure to pay into Trust Fund; or (4) strikes caused by employer unfair labor practices.

## Check Your Social Security

Officials of the Social Security Administration urged all Americans last month to check their social security accounts for correctness to prevent reduced benefits for themselves or their survivors in the future.

Under the old-age, survivors, and disability insurance system, employers send in periodic reports to the government showing the wages paid to each employee. Self-employed people report their own earnings as a part of their annual income tax return.

The Social Security Administration credits these earnings to the accounts of some 120 million social security card holders. When a worker dies, retires, or becomes severely disabled, the earnings record reflects the length of employment or self-em-

ployment and the level of earnings on which eligibility and benefit amounts are figured.

Sometimes the earnings are not properly reported or the social security account number is omitted or wrong. When this happens, the social security bookkeepers cannot credit the earnings to the proper account until the matter is straightened out.

Employees and self-employed people are urged to check on their social security earnings account at least once every three years to assure themselves that the record is correct. The statute of limitations makes it more difficult to correct errors more than three years old. Any social security district office has a handy postcard form that can be used to request a statement of your earnings.





Members of Teamsters Local 229 in Scranton, Pa., last month rallied to aid of Brother Daniel Finnerty, whose daughter needed blood transfusions for a complex heart operation. Student Nurse Rose Ann Sellani prepares for blood donors John Lydon, George Jones and Edward Slocum (from left to right) all members of Teamsters' Local 229.

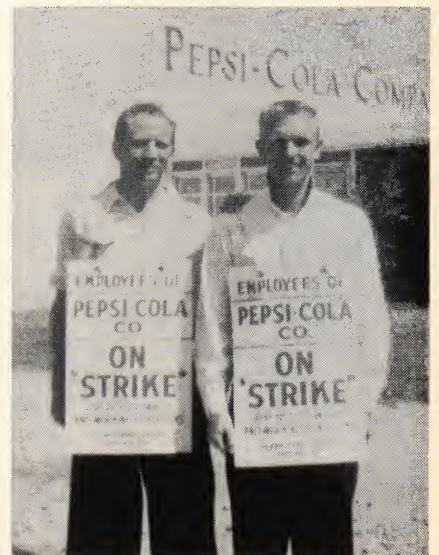
## Picture Parade



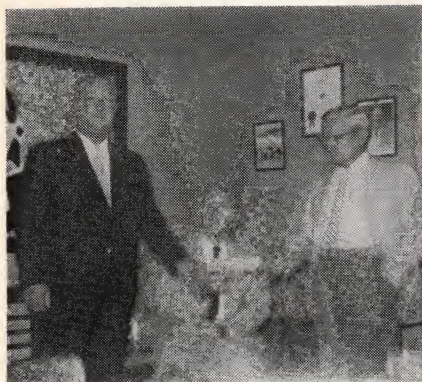
Mrs. Winifred Burns is obviously delighted as Secretary Curt Lundsten, secretary of Teamsters Local 951 in Tacoma, Wash., presents her with her first retirement check. Mrs. Burns is the first member to retire under Local 951's retirement and pension plan with the Western Conference of Teamsters.



Striking Pepsi Cola workers in Vancouver, Canada, carry their signs, publicizing the fact that Pepsi Cola in that city is unfair to Teamsters.







Louis Montague of Teamsters Local 592 in Richmond, Va., last month received a check for \$1,225, and became the first pensioner-member of the Local. A. L. Lewis, business agent of the Local, and Fair Brooks, president of the Brooks Transportation Company presented a check to Montague, representing retirement pay retroactive to January 1, 1959.



Frank Ranney, secretary-treasurer of Milwaukee Joint Council 39, (left) beams as John Murphy, employee's trustee for the Central States Welfare Fund, presents a check for \$1,000,000 to Stanley Rewey, senior vice president (right) of the Marshall and Ilsey bank. H. S. French, the bank's vice president looks on.



H. D. Lehman (center), veteran president of Local 110, receives a gold plaque from International Vice President Harry Tevis. Looking on is Local 110's Vice President James Hays, who was named to serve out Lehman's unexpired term.



Herman Erath, a brewer employed at the Newark, N. J., plant of the Anheuser-Busch Co., makes history as the first member to receive pension under retirement program negotiated by Teamster Brewery Local 102. Secretary Ben Merker and Local 102 Executive Board members present Erath a check for \$200, a parting gift from members of the New Jersey Teamster Local.



# WHAT'S NEW?

## Lubrication Guide For Last Ten Years

All popular standard truck models from 1950 to 1959 can be properly lubricated through reference to the 1959 lubrication guide containing factory-approved lube information. The guide issued from Chicago, also covers axle, semi-trailer units; specially assembled, heavy-duty and special-purpose trucks, and school buses and motor coaches.

## Sight Gauge Detects Pressure Leakage

Both internal and external coolant leaks and exhaust gas leakage at the cylinder head joint can be detected by a pressure-leakage device from New York City. Made up of four principal components, the detector features an indicating unit, a pressurizing unit, air connection assembly and a hand pump in the form of a rubber ball. The leakage is shown in a glass sight tube of the indicating unit which fits on the radiator, replacing the cap, but the detector is not intended as a tester of radiator pressure cap. The hand pump is used to pressurize the cooling system and the air pressure gauge indicates when the pressure in the cooling system is equal to that of the pressure cap for the system being tested. The water level in the sight tube goes down if there is a leakage.

## Penetrant Reveals Defects in Solids

Cracks, leaks, pores or other defects open to the surface in any kind of solid material can be detected with the use of an ultrasensitive fluorescent penetrant inspection method. Marketed in a portable kit, the unit contains pressurized spray cans of fire-safe materials, cleaners, penetrant and developer.

## Five Positions of Forged Steel Pliers

Five positions can be set and securely locked with a drop-forged slip

joint plier, available in three lengths and weights. A consistent tempering and hardening produce tolerance of Rockwell C 39-45 at the head where the precision milled jaws afford a uniformly strong bit. Also offered is a drop-forged tongue and groove plier which is a five-position heavy-duty utility tool, available in two lengths and weights.

## Protection for Asphalt With Improved Surfacing

Complete protection and extended life for asphalt pavement, as well as an attractive, easy-to-clean surface, are claimed for an improved surface-sealing compound. Tested on surfaces subjected to gasoline, oil and other petroleum products, the material has proved its effectiveness, says the maker.

## Accelerometer Records Mechanical Shocks

A tiny device being marketed from Minnesota records a truck's mechanical shocks equalling or exceeding factory pre-set G-level and responds only to those perpendicular to its mounting surface. This accelerometer measures only 2 13/16 by 1 3/8 by 1 3/16 inches. A bank of such meters, with each adjust for different G-levels, can determine the relative prevalence of certain loads.

## Variety of Styles Of Safety Gloves

For light welding work and general industrial uses, a New York firm recommends their safety gloves offered in four styles. Type E-GR has full gauntlet for protection of hand, wrist and lower arm; type D-SS is a combination light work, light welding glove; type AR-1 is a high-grade, heat-resistant welder's mitten, and type GR-SS is a flexible driver-style glove.

## Stripping Tool for High Pressure Hoses

Assembled and pre-set for a particular size hose is a stripping tool which removes the outer rubber cover from high pressure hoses before assembling fitting. This stripping is necessary when assembling fittings with a one-piece socket on four company hoses.

Designed for use in a standard shop vise, lathe chuck or drill press, the tool is available for 4 through 36 sizes.

## Plastic Tape Seals Threaded Pipe Joints

Threaded pipe joints can be securely sealed with a new plastic tape available in widths of 1/2, 3/4 or 1 inch in self-dispensing rolls of 250, 500 and 1000 inches. Fast application and elimination of dripping or splattering are cited as advantages and the tape is unaffected by temperatures from minus 250 degrees F. to plus 500 degrees F. The tape can be used on any type of metal or non-metal substance.

## Metal Spray Powder Reduces Friction

A low co-efficient of friction is a feature of a metal spray powder for rebuilding worn engine and compressor crankshafts. Applied with a spray welder unit, the powder brings an increase in engine hp where crankshafts protected with the powder overlays are installed. Finish grinding of sprayed journal completes procedure.

## Warning Signal for Emergency Stops

Conforming with revised ATA vehicle disability lighting rulings is a new warning switch designed to fit all vehicles. When the vehicle becomes disabled, the driver pulls the unit's knob mounted on the dash and all the signal lights simultaneously flash half-mile warning in all directions. The device is composed of a heavy-duty flasher, a "plug-in" flasher connector and a fuse-in-line.

## Punch Press Works On Various Materials

According to its Pennsylvania manufacturer, their electric punch press permits the punching out of round, square, rectangular or any shape hole in minutes by merely changing the punch and die. The punch press can be used with the following: stainless steel, brass, plastic and all other materials up to 1/8 inch capacity; with laminated or welded sheets not exceeding 1/8 inch thickness.



# This Is Your Copy

## Labor-Management Reporting and Disclosure Act of 1959

*In order to make sure that every member of the International Brotherhood of Teamsters can view and study the repressive legislation levied against the American worker by the 86th Congress, the full text of the bill is reprinted here.*

*This text is reprinted in such a way that Teamster members may clip it out for future reference. Members of the Union should also retain the voting record, printed in this issue of the International Teamster, (beginning on Page 20), showing those who promoted its passage.*

### SHORT TITLE

Section 1. This Act may be cited as the "Labor-Management Reporting and Disclosure Act of 1959."

### DECLARATION OF FINDINGS, PURPOSES, AND POLICY

Sec. 2. (a) The Congress finds that, in the public interest, it continues to be the responsibility of the Federal Government to protect employees' rights to organize, choose their own representatives, bargain collectively, and otherwise engage in concerted activities for their mutual aid or protection; that the relations between employers and labor organizations and the millions of workers they represent have a substantial impact on the commerce of the Nation; and that in order to accomplish the objective of a free flow of commerce it is essential that labor organizations, employers, and their officials adhere to the highest standards of responsibility and ethical conduct in administering the affairs of their organizations, particularly as they affect labor-management relations.

(b) The Congress further finds, from recent investigations in the labor and management fields, that there have been a number of instances of breach of trust, corruption, disregard of the rights of individual employees, and other failures to observe high standards of responsibility and ethical conduct which require further and supplementary legislation that will afford necessary protection of the rights and interests of employees and the public generally as they relate to the activities of labor organizations, employers, labor relations consultants, and their officers and representatives.

(c) The Congress, therefore, further finds and declares that the enactment of this Act is necessary to eliminate or prevent improper practices on the part of labor organizations, employers, labor relations consultants, and their officers and representatives which distort and defeat the policies of the Labor Management Relations Act, 1947, as amended, and the Railway Labor Act, as amended, and have the tendency or necessary effect of burdening or obstructing commerce by (1) impairing the efficiency, safety, or operation of the instrumentalities of commerce; (2) occurring in the current of commerce; (3) materially affecting, restraining, or controlling the flow of raw materials or manufactured or processed goods into or from the channels of commerce, or the prices of such materials or goods in commerce; or (4) causing diminution of employment and wages in such volume as substantially to im-

pair or disrupt the market for goods flowing into or from the channels of commerce.

### DEFINITIONS

Sec. 3. For the purposes of titles I, II, III, IV, V (except section 505), and VI of this Act—

(a) "Commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof.

(b) "State" includes any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, American Samoa, Guam, Wake Island, the Canal Zone, and Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act (43 U.S.C. 1331-1343).

(c) "Industry affecting commerce" means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce and includes any activity or industry "affecting commerce" within the meaning of the Labor Management Relations Act, 1947, as amended, or the Railway Labor Act, as amended.

(d) "Person" includes one or more individuals, labor organizations, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers.

(e) "Employer" means any employer or any group or association of employers engaged in an industry affecting commerce (1) which is, with respect to employees engaged in an industry affecting commerce, an employer within the meaning of any law of the United States relating to the employment of any employees or (2) which may deal with any labor organization concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work, and includes any person acting directly or indirectly as an employer or as an agent of an employer in relation to an employee but does not include the United States or any corporation wholly owned by the Government of the United States or any State or political subdivision thereof.

(f) "Employee" means any individual employed by an employer, and includes any individual whose work has ceased as a consequence of, or in connection with, any current labor dispute or because of any unfair labor practice or because of exclusion or expulsion from a labor organization in any manner or for any reason inconsistent with the requirements of this Act.



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(g) "Labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

(h) "Trusteeship" means any receivership, trusteeship, or other method of supervision or control whereby a labor organization suspends the autonomy otherwise available to a subordinate body under its constitution or bylaws.

(i) "Labor organization" means a labor organization engaged in an industry affecting commerce and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization, other than a State or local central body.

(j) A labor organization shall be deemed to be engaged in an industry affecting commerce if it—

(1) is the certified representative of employees under the provisions of the National Labor Relations Act, as amended, or the Railway Labor Act, as amended; or

(2) although not certified, is a national or international labor organization or a local labor organization recognized or acting as the representative of employees of an employer or employers engaged in an industry affecting commerce; or

(3) has chartered a local labor organization or subsidiary body which is representing or actively seeking to represent employees of employers within the meaning of paragraph (1) or (2); or

(4) has been chartered by a labor organization representing or actively seeking to represent employees within the meaning of paragraph (1) or (2) as the local or subordinate body through which such employees may enjoy membership or become affiliated with such labor organization; or

(5) is a conference, general committee, joint or system board, or joint council, subordinate to a national or international labor organization, which includes a labor organization engaged in an industry affecting commerce within the meaning of any of the preceding paragraphs of this subsection, other than a State or local central body.

(k) "Secret ballot" means the expression by ballot, voting machine, or otherwise, but in no event by proxy, of a choice with respect to any election or vote taken upon any matter, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.

(l) "Trust in which a labor organization is interested" means a trust or other fund or organization (1) which was created or established by a labor organization, or one or more of the trustees or one or more members of the governing body of which is selected or appointed by a labor organization, and (2) a primary purpose of which is to provide benefits for the members of such labor organization or their beneficiaries.

(m) "Labor relations consultant" means any person who, for compensation, advises or represents an employer, employer organization, or labor organization concerning employee organizing, concerted activities, or collective bargaining activities.

(n) "Officer" means any constitutional officer, any person authorized to perform the functions of president, vice president, secretary, treasurer, or other executive function of a labor organization, and any member of its executive board or similar governing body.

(o) "Member" or "member in good standing", when used in reference to a labor organization, includes any person who has fulfilled the requirements for membership in such organization, and who neither has voluntarily withdrawn from membership nor has been expelled or suspended from membership after appropriate proceedings consistent with lawful provisions of the constitution and bylaws of such organization.

(p) "Secretary" means the Secretary of Labor.

(q) "Officer, agent, shop steward, or other representative", when used with respect to a labor organization, includes elected officials and key administrative personnel, whether elected or appointed (such as business agents, heads of departments or major units, and organizers who exercise substantial independent authority), but does not include salaried non-supervisory professional staff, stenographic, and service personnel.

(r) "District court of the United States" means a United States district court and a United States court of any place subject to the jurisdiction of the United States.

## Title I—Bill of Rights of Members of Labor Organizations

### BILL OF RIGHTS

**Sec. 101. (a)(1) EQUAL RIGHTS.**—Every member of a labor organization shall have equal rights and privileges within such organization to nominate candidates, to vote in elections or referendums of the labor organization, to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings, subject to reasonable rules and regulations in such organization's constitution and bylaws.

**(2) FREEDOM OF SPEECH AND ASSEMBLY.**—Every member of any labor organization shall have the right to meet and assemble freely with other members; and to express any views, arguments, or opinions; and to express at meetings of the labor organization his views, upon candidates in an election of the labor organization or upon any business properly before the meeting, subject to the organization's established and reasonable rules pertaining to the conduct of meetings: Provided, That nothing herein shall be construed to impair the right of a labor organization to adopt and enforce reasonable rules as to the responsibility of every member toward the organization as an institution and to his refraining from conduct that would interfere with its performance of its legal or contractual obligations.

**(3) DUES, INITIATION FEES, AND ASSESSMENTS.**—Except in the case of a federation of national or international labor organizations, the rates of dues and initiation fees payable by members of any labor organization in effect on the date of enactment of this Act shall not be increased, and no general or special assessment shall be levied upon such members, except—

(A) in the case of a local labor organization, (i) by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice of the intention to vote upon such question, or (ii) by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot; or

(B) in the case of a labor organization, other than a local labor organization or a federation of national or international labor organizations, (i) by majority vote of the delegates voting at a regular convention, or at a special convention of such labor organization held upon not less than thirty days' written notice to the principal office of each local or constituent labor organization entitled to such notice, or (ii) by majority vote of the members in good standing of such labor organization voting in a membership referendum conducted by secret ballot, or (iii) by majority vote of the members of the executive board or similar governing body of such labor organization, pursuant to express authority contained in the constitution and bylaws of such labor organization: Provided, That such action on the part of the executive board or similar governing body shall be effective only until the next regular convention of such labor organization.

**(4) PROTECTION OF THE RIGHT TO SUE.**—No labor organization shall limit the right of any member thereof to institute an action in any court, or in a proceeding before any administrative agency, irrespective of whether or not the labor organization or its officers are named as defendants or respondents in such action or proceeding, or the right of any member of a labor organization to appear as a witness in any judicial, administrative, or legislative proceeding, or to petition any legislature or to communicate with any legislator: Provided, That any such member may be required to exhaust reasonable hearing procedures (but not to exceed a four-month lapse of time) within such organization, before instituting legal or administrative proceedings against such organizations or any officer thereof: And provided further, That no interested employer or employer association shall directly or indirectly finance, encourage, or participate in, except as a party, any such action, proceeding, appearance, or petition.

**(5) SAFEGUARDS AGAINST IMPROPER DISCIPLINARY ACTION.**—No member of any labor organization may be fined, suspended, expelled, or otherwise disciplined except for nonpayment of dues by such organization or by any officer thereof unless such member has been (A) served with written specific charges; (B) given a reasonable time to prepare his defense; (C) afforded a full and fair hearing.

(b) Any provision of the constitution and bylaws of any



labor organization which is inconsistent with the provisions of this section shall be of no force or effect.

### **CIVIL ENFORCEMENT**

**Sec. 102.** Any person whose rights secured by the provisions of this title have been infringed by any violation of this title may bring a civil action in a district court of the United States for such relief (including injunctions) as may be appropriate. Any such action against a labor organization shall be brought in the district court of the United States for the district where the alleged violation occurred, or where the principal office of such labor organization is located.

### **RETENTION OF EXISTING RIGHTS**

**Sec. 103.** Nothing contained in this title shall limit the rights and remedies of any member of a labor organization under any State or Federal law or before any court or other tribunal, or under the constitution and bylaws of any labor organization.

### **RIGHT TO COPIES OF COLLECTIVE BARGAINING AGREEMENTS**

**Sec. 104.** It shall be the duty of the secretary or corresponding principal officer of each labor organization, in the case of a local labor organization, to forward a copy of each collective bargaining agreement made by such labor organization with any employer to any employee who requests such a copy and whose rights as such employee are directly affected by such agreement, and in the case of a labor organization other than a local labor organization, to forward a copy of any such agreement to each constituent unit which has members directly affected by such agreement; and such officer shall maintain at the principal office of the labor organization of which he is an officers copies of any such agreement made or received by such labor organization, which copies shall be available for inspection by any member or by any employee whose rights are affected by such agreement. The provisions of section 210 shall be applicable in the enforcement of this section.

### **INFORMATION AS TO ACT**

**Sec. 105.** Every labor organization shall inform its members concerning the provisions of this Act.

## **Title II—Reporting by Labor Organizations, Officers and Employees of Labor Organizations, and Employers**

### **REPORT OF LABOR ORGANIZATIONS**

**Sec. 201.** (a) Every labor organization shall adopt a constitution and bylaws and shall file a copy thereof with the Secretary, together with a report, signed by its president and secretary or corresponding principal officers, containing the following information—

(1) the name of the labor organization, its mailing address, and any other address at which it maintains its principal office or at which it keeps the records referred to in this title;

(2) the name and title of each of its officers;

(3) the initiation fee or fees required from a new or transferred member and fees for work permits required by the reporting labor organization;

(4) the regular dues or fees or other periodic payments required to remain a member of the reporting labor organization; and

(5) detailed statements, or references to specific provisions of documents filed under this subsection which contain such statements, showing the provision made and procedures followed with respect to each of the following: (A) qualifications for or restrictions on membership, (B) levying of assessments, (C) participation in insurance or other benefit plans, (D) authorization for disbursement of funds of the labor organization, (E) audit of financial transactions of the labor organization, (F) the calling of regular and special meetings, (G) the selection of officers and stewards and of any representatives to other bodies composed of labor organizations' representatives, with a specific statement of the manner in which each officer was elected, appointed, or otherwise selected, (H) discipline or removal of officers or agents for breaches of their trust, (I) imposition of fines, suspensions, and expulsions of members, including the grounds for such action and any provision made for notice,

hearing, judgment on the evidence, and appeal procedures. (J) authorization for bargaining demands, (K) ratification of contract terms, (L) authorization for strikes, and (M) issuance of work permits. Any change in the information required by this subsection shall be reported to the Secretary at the time the reporting labor organization files with the Secretary the annual financial report required by subsection (b).

(b) Every labor organization shall file annually with the Secretary a financial report signed by its president and treasurer or corresponding principal officers containing the following information in such detail as may be necessary accurately to disclose its financial condition and operations for its preceding fiscal year—

(1) assets and liabilities at the beginning and end of the fiscal year;

(2) receipts of any kind and the sources thereof;

(3) salary, allowances, and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each employee who, during such fiscal year, received more than \$10,000 in the aggregate from such labor organization and any other labor organization affiliated with it or with which it is affiliated, or which is affiliated with the same national or international labor organization;

(4) direct and indirect loans made to any officer, employee, or member, which aggregated more than \$250 during the fiscal year, together with a statement of the purpose, security, if any, and arrangements for repayment;

(5) direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment; and

(6) other disbursements made by it including the purposes thereof; all in such categories as the Secretary may prescribe.

(c) Every labor organization required to submit a report under this title shall make available the information required to be contained in such report to all of its members, and every such labor organization and its officers shall be under a duty enforceable at the suit of any member of such organization in any State court of competent jurisdiction or in the district court of the United States for the district in which such labor organization maintains its principal office, to permit such member for just cause to examine any books, records, and accounts necessary to verify such report. The court in such action may, in its discretion, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.

(d) Subsections (f), (g), and (h) of section 9 of the National Labor Relations Act, as amended, are hereby repealed.

(e) Clause (i) of section 8(a)(3) of the National Labor Relations Act, as amended, is amended by striking out the following: "and has at the time the agreement was made or within the preceding twelve months received from the Board a notice of compliance with sections 9 (f), (g), (h)".

### **REPORT OF OFFICERS AND EMPLOYEES OF LABOR ORGANIZATIONS**

**Sec. 202.** (a) Every officer of a labor organization and every employee of a labor organization (other than an employee performing exclusively clerical or custodial services) shall file with the Secretary a signed report listing and describing for his preceding fiscal year—

(1) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child derived directly or indirectly from, an employer whose employees such labor organization represents or is actively seeking to represent, except payments and other benefits received as a bona fide employee of such employer;

(2) any transaction in which he or his spouse or minor child engaged, directly or indirectly, involving any stock, bond, security, or loan to or from, or other legal or equitable interest in the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(3) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he



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or his spouse or minor child directly or indirectly derived from, any business a substantial part of which consists of buying from, selling or leasing to, or otherwise dealing with, the business of an employer whose employees such labor organization represents or is actively seeking to represent;

(4) any stock, bond, security, or other interest, legal or equitable, which he or his spouse or minor child directly or indirectly held in, and any income or any other benefit with monetary value (including reimbursed expenses) which he or his spouse or minor child directly or indirectly derived from, a business any part of which consists of buying from, or selling or leasing directly or indirectly to, or otherwise dealing with such labor organization;

(5) any direct or indirect business transaction or arrangement between him or his spouse or minor child and any employer whose employees his organization represents or is actively seeking to represent, except work performed and payments and benefits received as a bona fide employee of such employer and except purchases and sales of goods or services in the regular course of business at prices generally available to any employee of such employer; and

(6) any payment of money or other thing of value (including reimbursed expenses) which he or his spouse or minor child received directly or indirectly from any employer or any person who acts as a labor relations consultant to an employer, except payments of the kinds referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended.

(b) The provisions of paragraphs (1), (2), (3), (4), and (5) of subsection (a) shall not be construed to require any such officer or employee to report his bona fide investments in securities traded on a securities exchange registered as a national securities exchange under the Securities Exchange Act of 1934, in shares in an investment company registered under the Investment Company Act of 1940, or in securities of a public utility holding company registered under the Public Utility Holding Company Act of 1935, or to report any income derived therefrom.

(c) Nothing contained in this section shall be construed to require any officer or employee of a labor organization to file a report under subsection (a) unless he or his spouse or minor child holds or has held an interest, has received income or any other benefit with monetary value or a loan, or has engaged in a transaction described therein.

## REPORT OF EMPLOYERS

**Sec. 203.** (a) Every employer who in any fiscal year made—

(1) any payment or loan, direct or indirect, of money or other thing of value (including reimbursed expenses), or any promise or agreement therefor, to any labor organization or officer, agent, shop steward, or other representative of a labor organization, or employee of any labor organization, except (A) payments or loans made by any national or State bank, credit union, insurance company, savings and loan association or other credit institution and (B) payments of the kind referred to in section 302(c) of the Labor Management Relations Act, 1947, as amended;

(2) any payment including reimbursed expenses) to any of his employees, or any group or committee of such employees, for the purpose of causing such employee or group or committee of employees to persuade other employees to exercise or not to exercise, or as the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing unless such payments were contemporaneously or previously disclosed to such other employees;

(3) any expenditure, during the fiscal year, where an object thereof, directly or indirectly, is to interfere with, restrain, or coerce employees in the exercise of the right to organize and bargain collectively through representatives of their own choosing, or is to obtain information concerning the activities of employees or a labor organization in connection with a labor dispute involving such employer, except for use solely in conjunction with an administrative or arbitral proceeding or a criminal or civil judicial proceeding; pursuant to which such person undertakes activities where an object thereof, directly or indirectly, is to persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing, or undertakes to supply such employer with information

(4) any agreement or arrangement with a labor relations consultant or other independent contractor or organization

concerning the activities of employees or a labor organization in connection with a labor dispute involving such employer, except information for use solely in conjunction with an administrative or arbitral proceeding or a criminal or civil judicial proceeding; or

(5) any payment (including reimbursed expenses) pursuant to an agreement or arrangement described in subdivision (4);

shall file with the Secretary a report, in a form prescribed by him, signed by its president and treasurer or corresponding principal officers showing in detail the date and amount of each such payment, loan, promise, agreement, or arrangement and the name, address, and position, if any, in any firm or labor organization of the person to whom it was made and a full explanation of the circumstances of all such payments, including the terms of any agreement or understanding pursuant to which they were made.

(b) Every person who pursuant to any agreement or arrangement with an employer undertakes activities where an object thereof is, directly or indirectly—

(1) to persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing; or

(2) to supply an employer with information concerning the activities of employees or a labor organization in connection with a labor dispute involving such employer, except information for use solely in conjunction with an administrative or arbitral proceeding or a criminal or civil judicial proceeding;

shall file within 30 day after entering into such agreement or arrangement a report with the Secretary, signed by its president and treasurer or corresponding principal officers, containing the name under which such person is engaged in doing business and the address of its principal office, and a detailed statement of the terms and conditions of such agreement or arrangement. Every such person shall file annually, with respect to each fiscal year during which payments were made as a result of such an agreement or arrangement, a report with the Secretary, signed by its president and treasurer or corresponding principal officers, containing a statement (A) of its receipts of any kind from employers on account of labor relations advice or services, designating the sources thereof, and (B) of its disbursements of any kind, in connection with such services and the purposes thereof. In each such case such information shall be set forth in such categories as the Secretary may prescribe.

(c) Nothing in this section shall be construed to require any employer or other person to file a report covering the services of such person by reason of his giving or agreeing to give advice to such employer or representing or agreeing to represent such employer before any court, administrative agency, or tribunal of arbitration or engaging or agreeing to engage in collective bargaining on behalf of such employer with respect to wages, hours, or other terms or conditions of employment or the negotiation of an agreement or any question arising thereunder.

(d) Nothing contained in this section shall be construed to require an employer to file a report under subsection (a) unless he has made an expenditure, payment, loan, agreement, or arrangement of the kind described therein. Nothing contained in this section shall be construed to require any other person to file a report under subsection (b) unless he was a party to an agreement or arrangement of the kind described therein.

(e) Nothing contained in this section shall be construed to require any regular officer, supervisor, or employee of an employer to file a report in connection with services rendered to such employer nor shall any employer be required to file a report covering expenditures made to any regular officer, supervisor, or employee of an employer as compensation for service as a regular officer, supervisor or employee of such employer.

(f) Nothing contained in this section shall be construed as an amendment to, or modification of the rights protected by, section 8(c) of the National Labor Relations Act, as amended.

(g) The term "interfere with, restrain, or coerce" as used in this section means interference, restraint, and coercion which, if done with respect to the exercise of rights guaranteed in section 7 of the National Labor Relations Act, as amended, would, under section 8(a) of such Act, constitute an unfair labor practice.

## ATTORNEY-CLIENT COMMUNICATIONS EXEMPTED

**Sec. 204.** Nothing contained in this Act shall be construed



to require an attorney who is a member in good standing of the bar of any State, to include in any report required to be filed pursuant to the provisions of this Act any information which was lawfully communicated to such attorney by any of his clients in the course of a legitimate attorney-client relationship.

#### REPORTS MADE PUBLIC INFORMATION

**Sec. 205.** (a) The contents of the reports and documents filed with the Secretary pursuant to section 201, 202, and 203 shall be public information, and the Secretary may publish any information and data which he obtains pursuant to the provisions of this title. The Secretary may use the information and data for statistical and research purposes, and compile and published such studies, analyses, reports, and surveys based thereon as he may deem appropriate.

(b) The Secretary shall by regulation make reasonable provision for the inspection and examination, on the request of any person, of the information and data contained in any report or other document filed with him pursuant to section 201, 202, or 203.

(c) The Secretary shall by regulation provide for the furnishing by the Department of Labor of copies of reports or other documents filed with the Secretary pursuant to this title, upon payment of a charge based upon the cost of the service. The Secretary shall make available without payment of a charge, or require any person to furnish, to such State agency as is designated by law or by the Governor of the State in which such person has his principal place of business or headquarters, upon request of the Governor of such State, copies of any reports and documents filed by such person with the Secretary pursuant to section 201, 202, or 203, or of information and data contained therein. No person shall be required by reason of any law of any State to furnish to any officer or agency of such State any information included in a report filed by such person with the Secretary pursuant to the provisions of this title, if a copy of such report, or of the portion thereof containing such information, is furnished to such officer or agency. All moneys received in payment of such charges fixed by the Secretary pursuant to this subsection shall be deposited in the general fund of the Treasury.

#### RETENTION OF RECORDS

**Sec. 206.** Every person required to file any report under this title shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the documents filed with the Secretary may be verified, explained or clarified, and checked for accuracy and completeness, and shall include vouchers, worksheets, receipts, and applicable resolutions, and shall keep such records available for examination for a period of not less than five years after the filing of the documents based on the information which they contain.

#### EFFECTIVE DATE

**Sec. 207.** (a) Each labor organization shall file the initial report required under section 201(a) within ninety days after the date on which it first becomes subject to this Act.

(b) Each person required to file a report under section 201(b), 202, 203(a), or the second sentence of 203(b) shall file such report within ninety days after the end of each of its fiscal years; except that where such person is subject to section 201(b), 202, 203(a), or the second sentence of 203(b), as the case may be, for only a portion of such a fiscal year (because the date of enactment of this Act occurs during such person's fiscal year or such person becomes subject to this Act during its fiscal year) such person may consider that portion as the entire fiscal year in making such report.

#### RULES AND REGULATIONS

**Sec. 208.** The Secretary shall have authority to issue, amend, and rescind rules and regulations prescribing the form and publication of reports required to be filed under this title and such other reasonable rules and regulations (including rules prescribing reports concerning trusts in which a labor organization is interested) as he may find necessary to prevent the circumvention or evasion of such reporting requirements. In exercising his power under this section the Secretary shall prescribe by general rule simplified reports for labor organizations or employers for whom he finds that by virtue of their size a detailed report would be unduly burdensome, but the Secretary may revoke such provision for simplified forms of

any labor organization or employer if he determines, after such investigation as he deems proper and due notice and opportunity for a hearing, that the purposes of this section would be served thereby.

#### CRIMINAL PROVISIONS

**Sec. 209.** (a) Any person who willfully violates this title shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

(b) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any document, report, or other information required under the provisions of this title shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

(c) Any person who willfully makes a false entry in or willfully conceals, withholds, or destroys any books, records, reports, or statements required to be kept by any provision of this title shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

(d) Each individual required to sign reports under sections 201 and 203 shall be personally responsible for the filing of such reports and for any statement contained therein which he knows to be false.

#### CIVIL ENFORCEMENT

**Sec. 210.** Whenever it shall appear that any person has violated or is about to violate any of the provisions of this title, the Secretary may bring a civil action for such relief (including injunctions) as may be appropriate. Any such action may be brought in the district court of the United States where the violation occurred or, at the option of the parties, in the United States District Court for the District of Columbia.

### Title III—Trusteeships

#### REPORTS

**Sec. 301.** (a) Every labor organization which has or assumes trusteeship over any subordinate labor organization shall file with the Secretary within thirty days after the date of the enactment of this Act or the imposition of any such trusteeship, and semiannually thereafter, a report, signed by its president and treasurer or corresponding principal officers, as well as by the trustees of such subordinate labor organization, containing the following information: (1) the name and address of the subordinate organization; (2) the date of establishing the trusteeship; (3) a detailed statement of the reason or reasons for establishing or continuing the trusteeship; and (4) the nature and extent of participation by the membership of the subordinate organization in the selection of delegates to represent such organization in regular or special conventions or other policy-determining bodies and in the election of officers of the labor organization which has assumed trusteeship over such subordinate organization. The initial report shall also include a full and complete account of the financial condition of such subordinate organization as of the time trusteeship was assumed over it. During the continuance of a trusteeship the labor organization which has assumed trusteeship over a subordinate labor organization shall file on behalf of the subordinate labor organization the annual financial report required by section 201(b) signed by the president and treasurer or corresponding principal officers of the labor organization which has assumed such trusteeship and the trustees of the subordinate labor organization.

(b) The provisions of section 201(c), 205, 206, 208, and 210 shall be applicable to reports filed under this title.

(c) Any person who willfully violates this section shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

(d) Any person who makes a false statement or representation of a material fact, knowing it to be false, or who knowingly fails to disclose a material fact, in any report required under the provisions of this section or willfully makes any false entry in or willfully withholds, conceals, or destroys any documents, books, records, reports, or statements upon which such report is based, shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

(e) Each individual required to sign a report under this section shall be personally responsible for the filing of such report and for any statement contained therein which he knows to be false.



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### PURPOSES FOR WHICH A TRUSTEESHIP MAY BE ESTABLISHED

**Sec. 302.** Trusteeships shall be established and administered by a labor organization over a subordinate body only in accordance with the constitution and bylaws of the organization which has assumed trusteeship over the subordinate body and for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objects of such labor organization.

### UNLAWFUL ACTS RELATING TO LABOR ORGANIZATION UNDER TRUSTEESHIP

**Sec. 303.** (a) During any period when a subordinate body of a labor organization is in trusteeship, it shall be unlawful (1) to count the vote of delegates from such body in any convention or election of officers of the labor organization unless the delegates have been chosen by secret ballot in an election in which all the members in good standing of such subordinate body were eligible to participate, or (2) to transfer to such organization any current receipts or other funds of the subordinate body except the normal per capita tax and assessments payable by subordinate bodies not in trusteeship: Provided, That nothing herein contained shall prevent the distribution of the assets of a labor organization in accordance with its constitution and bylaws upon the bona fide dissolution thereof.

(b) Any person who willfully violates this section shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

### ENFORCEMENT

**Sec. 304.** (a) Upon the written complaint of any member or subordinate body of a labor organization alleging that such organization has violated the provisions of this title (except section 301) the Secretary shall investigate the complaint and if the Secretary finds probable cause to believe that such violation has occurred and has not been remedied he shall, without disclosing the identity of the complainant, bring a civil action in any district court of the United States having jurisdiction of the labor organization for such relief (including injunctions) as may be appropriate. Any member or subordinate body of a labor organization affected by any violation of this title (except section 301) may bring a civil action in any district court of the United States having jurisdiction of the labor organization for such relief (including injunctions) as may be appropriate.

(b) For the purpose of actions under this section, district courts of the United States shall be deemed to have jurisdiction of a labor organization (1) in the district in which the principal office of such labor organization is located, or (2) in any district in which its duly authorized officers or agents are engaged in conducting the affairs of the trusteeship.

(c) In any proceeding pursuant to this section a trusteeship established by a labor organization in conformity with the procedural requirements of its constitution and bylaws and authorized or ratified after a fair hearing either before the executive board or before such other body as may be provided in accordance with its constitution or bylaws shall be presumed valid for a period of eighteen months from the date of its establishment and shall not be subject to attack during such period except upon clear and convincing proof that the trusteeship was not established or maintained in good faith for a purpose allowable under section 302. After the expiration of eighteen months the trusteeship shall be presumed invalid in any such proceeding and its discontinuance shall be decreed unless the labor organization shall show by clear and convincing proof that the continuation of the trusteeship is necessary for a purpose allowable under section 302. In the latter event the court may dismiss the complaint or retain jurisdiction of the cause on such conditions and for such period as it deems appropriate.

### REPORT TO CONGRESS

**Sec. 305.** The Secretary shall submit to the Congress at the expiration of three years from the date of enactment of this Act a report upon the operation of this title.

### COMPLAINT BY SECRETARY

**Sec. 306.** The rights and remedies provided by this title shall be in addition to any and all other rights and remedies at law or in equity: Provided, That upon the filing of a complaint

by the Secretary the jurisdiction of the district court over such trusteeship shall be exclusive and the final judgment shall be res judicata.

## Title IV—Elections

### TERMS OF OFFICE; ELECTION PROCEDURES

**Sec. 401.** (a) Every national or international labor organization, except a federation of national or international labor organizations, shall elect its officers not less often than once every five years either by secret ballot among the members in good standing or at a convention of delegates chosen by secret ballot.

(b) Every local labor organization shall elect its officers not less often than once every three years by secret ballot among the members in good standing.

(c) Every national or international labor organization, except a federation of national or international labor organizations, and every local labor organization, and its officers, shall be under a duty, enforceable at the suit of any bona fide candidate for office in such labor organization in the district court of the United States in which such labor organization maintains its principal office, to comply with all reasonable requests of any candidate to distribute by mail or otherwise at the candidate's expense campaign literature in aid of such person's candidacy to all members in good standing of such labor organization and to refrain from discrimination in favor of or against any candidate with respect to the use of lists of members, and whenever such labor organizations or its officers authorize the distribution by mail or otherwise to members of campaign literature on behalf of any candidate or of the labor organization itself with reference to such election, similar distribution at the request of any other bona fide candidate shall be made by such labor organization and its officers, with equal treatment as to the expense of such distribution. Every bona fide candidate shall have the right, once within 30 days prior to an election of a labor organization in which he is a candidate, to inspect a list containing the names and last known addresses of all members of the labor organization who are subject to a collective bargaining agreement requiring membership therein as a condition of employment, which list shall be maintained and kept at the principal office of such labor organization by a designated official thereof. Adequate safeguards to insure a fair election shall be provided, including the right of any candidate to have an observer at the polls and at the counting of the ballots.

(d) Officers of intermediate bodies, such as general committees, system boards, joint boards, or joint councils, shall be elected not less often than once every four years by secret ballot among the members in good standing or by labor organization officers representative of such members who have been elected by secret ballot.

(e) In any election required by this section which is to be held by secret ballot a reasonable opportunity shall be given for the nomination of candidates and every member in good standing shall be eligible to be a candidate and to hold office (subject to section 504 and to reasonable qualifications uniformly imposed) and shall have the right to vote for or otherwise support the candidate or candidates of his choice, without being subject to penalty, discipline, or improper interference or reprisal of any kind by such organization or any member thereof. Not less than fifteen days prior to the election notice thereof shall be mailed to each member at his last known home address. Each member in good standing shall be entitled to one vote. No member whose dues have been withheld by his employer for payment to such organization pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to vote or be a candidate for office in such organization by reason of alleged delay or default in the payment of dues. The votes cast by members of each local labor organization shall be counted, and the results published, separately. The election officials designated in the constitution and bylaws or the secretary, if no other official is designated shall preserve for one year the ballots and all other records pertaining to the election. The election shall be conducted in accordance with the constitution and bylaws of such organization insofar as they are not inconsistent with the provisions of this title.

(f) When officers are chosen by a convention of delegates elected by secret ballot, the convention shall be conducted in accordance with the constitution and bylaws of the labor organization insofar as they are not inconsistent with the provisions of this title. The officials designated in the constitution



and bylaws or the secretary, if no other is designated, shall preserve for one year the credentials of the delegates and all minutes and other records of the convention pertaining to the election of officers.

(g) No moneys received by any labor organization by way of dues, assessment, or similar levy, and no moneys of an employer shall be contributed or applied to promote the candidacy of any person in an election subject to the provisions of this title. Such moneys of a labor organization may be utilized for notices, factual statements of issues not involving candidates, and other expenses necessary for the holding of an election.

(h) If the Secretary, upon application of any member of a local labor organization, finds after hearing in accordance with the Administrative Procedure Act that the constitution and bylaws of such labor organization do not provide an adequate procedure for the removal of an elected officer guilty of serious misconduct, such officer may be removed, for cause shown and after notice and hearing, by the members in good standing voting in a secret ballot conducted by the officers of such labor organization in accordance with its constitution and bylaws insofar as they are not inconsistent with the provisions of this title.

(i) The Secretary shall promulgate rules and regulations prescribing minimum standards and procedures for determining the adequacy of the removal procedures to which reference is made in subsection (h).

#### **ENFORCEMENT**

**Sec. 402.** (a) A member of a labor organization—

(1) who has exhausted the remedies available under the constitution and bylaws of such organization and of any parent body, or

(2) who has invoked such available remedies without obtaining a final decision within three calendar months after their invocation,

may file a complaint with the Secretary within one calendar month thereafter alleging the violation of any provision of section 401 (including violation of the constitution and bylaws of the labor organization pertaining to the election and removal of officers). The challenged election shall be presumed valid pending a final decision thereon (as hereinafter provided) and in the interim the affairs of the organization shall be conducted by the officers elected or in such other manner as its constitution and bylaws may provide.

(b) The Secretary shall investigate such complaint and, if he finds probable cause to believe that a violation of this title has occurred and has not been remedied, he shall, within sixty days after the filing of such complaint, bring a civil action against the labor organization as an entity in the district court of the United States in which such labor organization maintains its principal office to set aside the invalid election, if any, and to direct the conduct of an election or hearing and vote upon the removal of officers under the supervision of the Secretary and in accordance with the provisions of this title and such rules and regulations as the Secretary may prescribe. The court shall have power to take such action as it deems proper to preserve the assets of the labor organization.

(c) If, upon a preponderance of the evidence after a trial upon the merits, the court finds—

(1) that an election has not been held within the time prescribed by section 401, or

(2) that the violation of section 401 may have affected the outcome of an election, the court shall declare the election, if any, to be void and direct the conduct of a new election under supervision of the Secretary and, so far as lawful and practicable, in conformity with the constitution and bylaws of the labor organization. The Secretary shall promptly certify to the court the names of the persons elected, and the court shall thereupon enter a decree declaring such persons to be the officers of the labor organization. If the proceeding is for the removal of officers pursuant to subsection (h) of section 401, the Secretary shall certify the results of the vote and the court shall enter a decree declaring whether such persons have been removed as officers of the labor organization.

(d) An order directing an election, dismissing a complaint, or designating elected officers of a labor organization shall be appealable in the same manner as the final judgment in a civil action, but an order directing an election shall not be stayed pending appeal.

#### **APPLICATION OF OTHER LAWS**

**Sec. 403.** No labor organization shall be required by law to conduct elections of officers with greater frequency or in a

different form or manner than is required by its own constitution or bylaws, except as otherwise provided by this title. Existing rights and remedies to enforce the constitution and bylaws of a labor organization with respect to elections prior to the conduct thereof shall not be affected by the provisions of this title. The remedy provided by this title for challenging an election already conducted shall be exclusive.

#### **EFFECTIVE DATE**

**Sec. 404.** The provisions of this title shall become applicable—

(1) ninety days after the date of enactment of this Act in the case of a labor organization whose constitution and bylaws can lawfully be modified or amended by action of its constitutional officers or governing body, or

(2) where such modification can only be made by a constitutional convention of the labor organization, not later than the next constitutional convention of such labor organization after the date of enactment of this Act, or one year after such date, whichever is sooner. If no such convention is held within such one-year period, the executive board or similar governing body empowered to act for such labor organization between conventions is empowered to make such interim constitutional changes as are necessary to carry out the provisions of this title.

### **Title V—Safeguards for Labor Organizations**

#### **FIDUCIARY RESPONSIBILITY OF OFFICERS OF LABOR ORGANIZATIONS**

**Sec. 501.** (a) The officers, agents, shop stewards, and other representatives of a labor organization occupy positions of trust in relation to such organization and its members as a group. It is, therefore, the duty of each such person, taking into account the special problems and functions of a labor organization, to hold its money and property solely for the benefit of the organization and its members and to manage, invest, and expend the same in accordance with its constitution and bylaws and any resolutions of the governing bodies adopted thereunder, to refrain from dealing with such organization as an adverse party or in behalf of an adverse party in any matter connected with his duties and from holding or acquiring any pecuniary or personal interest which conflicts with the interests of such organization, and to account to the organization for any profit received by him in whatever capacity in connection with transactions conducted by him or under his direction on behalf of the organization. A general exculpatory provision in the constitution and bylaws of such a labor organization or a general exculpatory resolution of a governing body purporting to relieve any such person of liability for breach of the duties declared by this section shall be void as against public policy.

(b) When any officer, agent, shop steward, or representative of any labor organization is alleged to have violated the duties declared in subsection (a) and the labor organization or its governing board or officers refuse or fail to sue or recover damages or secure an accounting or other appropriate relief within a reasonable time after being requested to do so by any member of the labor organization, such member may sue such officer, agent, shop steward, or representative in any district court of the United States or in any State court of competent jurisdiction to recover damages or secure an accounting or other appropriate relief for the benefit of the labor organization. No such proceeding shall be brought except upon leave of the court obtained upon verified application and for good cause shown, which application may be made ex parte. The trial judge may allot a reasonable part of the recovery in any action under this subsection to pay the fees of counsel prosecuting the suit at the instance of the member of the labor organization and to compensate such member for any expenses necessarily paid or incurred by him in connection with the litigation.

(c) Any person who embezzles, steals, or unlawfully and willfully abstracts or converts to his own use, or the use of another, any of the moneys, funds, securities, property, or other assets of a labor organization of which he is an officer, or by which he is employed, directly or indirectly, shall be fined not more than \$10,000 or imprisoned for not more than five years, or both.

#### **BONDING**

**Sec. 502.** (a) Every officer, agent, shop steward, or other representative or employee of any labor organization (other



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than a labor organization whose property and annual financial receipts do not exceed \$5,000 in value), or of a trust in which a labor organization is interested, who handles funds or other property thereof shall be bonded for the faithful discharge of his duties. The bond of each such person shall be fixed at the beginning of the organization's fiscal year and shall be in an amount not less than 10 per centum of the funds handled by him and his predecessor or predecessors, if any, during the preceding fiscal year, but in no case more than \$500,000. If the labor organization or the trust in which a labor organization is interested does not have a preceding fiscal year, the amount of the bond shall be, in the case of a local labor organization, not less than \$1,000, and in the case of any other labor organization or of a trust in which a labor organization is interested, not less than \$10,000. Such bonds shall be individual or schedule in form, and shall have a corporate surety company as surety thereon. Any person who is not covered by such bonds shall not be permitted to receive, handle, disburse, or otherwise exercise custody or control of the funds or other property of a labor organization or of a trust in which a labor organization is interested. No such bond shall be placed through an agent or broker or with a surety company, in which any labor organization or any officer, agent, shop steward, or other representative of a labor organization has any direct or indirect interest. Such surety company shall be a corporate surety which holds a grant of authority from the Secretary of the Treasury under the Act of July 30, 1947 (6 U.S.C. 6-13), as an acceptable surety on Federal bonds.

(b) Any person who willfully violates this section shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

### MAKING OF LOANS; PAYMENT OF FINES

**Sec. 503.** (a) No labor organization shall make directly or indirectly any loan or loans to any officer or employee of such organization which results in a total indebtedness on the part of such officer or employee to the labor organization in excess of \$2,000.

(b) No labor organization or employer shall directly or indirectly pay the fine of any officer or employee convicted of any willful violation of this Act.

(c) Any person who willfully violates this section shall be fined not more than \$5,000 or imprisoned for not more than one year, or both.

### PROHIBITION AGAINST CERTAIN PERSONS HOLDING OFFICE

**Sec. 504.** (a) No person who is or has been a member of the Communist Party or who has been convicted of, or served any part of a prison term resulting from his conviction of, robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury, or a violation of title II or III of this Act, or conspiracy to commit any such crimes, shall serve—

(1) as an officer, director, trustee, member of any executive board or similar governing body, business agent, manager, organizer, or other employee (other than as an employee performing exclusively clerical or custodial duties) of any labor organization, or

(2) as a labor relations consultant to a person engaged in an industry or activity affecting commerce, or as an officer, director, agent, or employee (other than as an employee performing exclusively clerical or custodial duties) of any group or association of employers dealing with any labor organization,

during or for five years after the termination of his membership in the Communist Party, or for five years after such conviction or after the end of such imprisonment, unless prior to the end of such five-year period, in the case of a person so convicted or imprisoned, (A) his citizenship rights, having been revoked as a result of such conviction, have been fully restored, or (B) the Board of Parole of the United States Department of Justice determines that such person's service in any capacity referred to in clause (1) or (2) would not be contrary to the purposes of this Act. Prior to making any such determination the Board shall hold an administrative hearing and shall give notice of such proceeding by certified mail to the State, county, and Federal prosecuting officials in the jurisdiction or jurisdictions in which such person was convicted. The Board's determination in any such proceeding shall be final. No labor organization or officer thereof shall knowingly permit any person to assume or hold any office or paid position in violation of this subsection.

(b) Any person who willfully violates this section shall be fined not more than \$10,000 or imprisoned for not more than one year, or both.

(c) For the purposes of this section, any person shall be deemed to have been "convicted" and under the disability of "conviction" from the date of the judgment of the trial court or the date of the final sustaining of such judgment on appeal, whichever is the later event, regardless of whether such conviction occurred before or after the date of enactment of this Act.

### AMENDMENT TO SECTION 302, LABOR MANAGEMENT RELATIONS ACT, 1947

**Sec. 505.** Subsection (a), (b), and (c) of section 302 of the Labor Management Relations Act, 1947, as amended, are amended to read as follows:

"Sec. 302. (a) It shall be unlawful for any employer or association of employers or any person who acts as a labor relations expert, advisor, or consultant to an employer or who acts in the interest of an employer to pay, lend, or deliver, or agree to pay, lend, or deliver, any money or other thing of value—

"(1) to any representative of any of his employees who are employed in an industry affecting commerce; or

"(2) to any labor organization, or any officer or employee thereof, which represents, seeks to represent, or would admit to membership, any of the employees of such employer who are employed in an industry affecting commerce; or

"(3) to any employee or group or committee of employees of such employer employed in an industry affecting commerce in excess of their normal compensation for the purpose of causing such employee or group or committee directly or indirectly to influence any other employees in the exercise of the right to organize and bargain collectively through representatives of their own choosing; or

"(4) to any officer or employee of a labor organization engaged in an industry affecting commerce with intent to influence him in respect to any of his actions, decisions, or duties as a representative of employees or as such officer or employee of such labor organization.

"(b)(1) It shall be unlawful for any person to request, demand, receive, or accept, or agree to receive or accept, any payment, loan, or delivery of any money or other thing of value prohibited by subsection (a).

"(2) It shall be unlawful for any labor organization, or for any person acting as an officer, agent, representative, or employee of such labor organization, to demand or accept from the operator of any motor vehicle (as defined in part II of the Interstate Commerce Act) employed in the transportation of property in commerce, or the employer of any such operator, any money or other thing of value payable to such organization or to an officer, agent, representative or employee thereof as a fee or charge for the unloading, or in connection with the unloading, of the cargo of such vehicle: Provided, That nothing in this paragraph shall be construed to make unlawful any payment by an employer to any of his employees as compensation for their services as employees.

"(c) The provisions of this section shall not be applicable (1) in respect to any money or other thing of value payable by an employer to any of his employees whose established duties include acting openly for such employer in matters of labor relations or personnel administration or to any representative of his employees, or to any officer or employee of a labor organization, who is also an employee or former employee of such employer, as compensation for, or by reason of, his service as an employee of such employer; (2) with respect to the payment or delivery of any money or other thing of value in satisfaction of a judgment of any court or a decision or award of an arbitrator or impartial chairman or in compromise, adjustment, settlement, or release of any claim, complaint, grievance, or dispute in the absence of fraud or duress; (3) with respect to the sale or purchase of an article or commodity at the prevailing market price in the regular course of business; (4) with respect to money deducted from the wages of employees in payment of membership dues in a labor organization: Provided, That the employer has received from each employee, on whose account such deductions are made, a written assignment which shall not be irrevocable for a period of more than one year, or beyond the termination date of the applicable collective agreement, whichever occurs sooner; (5) with respect to money or other thing of value paid to a trust fund established by such representative, for the sole and exclusive benefit of the employees of such employer, and their



families and dependents (or of such employees, families, and dependents jointly with the employees of other employers making similar payments and their families and dependents): Provided, That (A) such payment are held in trust for the purpose of paying, either from principal or income or both, for the benefit of employees, their families and dependents, for medical or hospital care, pensions on retirement or death of employees, compensation for injuries or illness resulting from occupational activity or insurance to provide any of the foregoing, or unemployment benefits or life insurance, disability and sickness insurance, or accident insurance; (B) the detailed basis on which such payments are to be made is specified in a written agreement with the employer, and employees and employers are equally represented in the administration of such fund, together with such neutral persons as the representatives of the employers and the representatives of the employees and the representatives of employees may agree upon and in the event the employer and employee groups deadlock on the administration of such fund and there are no neutral persons empowered to break such deadlock, such agreement provides that the two groups shall agree on an impartial umpire to decide such dispute, or in event of their failure to agree within a reasonable length of time, an impartial umpire to decide such dispute shall, on petition of either group, be appointed by the district court of the United States for the district where the trust fund has its principal office, and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places not be used for any purpose other than paying such pensions or annuities; or (6) with respect to money or other thing of value paid by any employer to a trust fund established by such representative for the purpose of pooled vacation, holiday, severance or similar benefits, or defraying costs of apprenticeship or other training programs: Provided, That the requirements of clause (B) of the proviso to clause (5) of this subsection shall apply to such trust funds."

## **Title VI—Miscellaneous Provisions**

### **INVESTIGATIONS**

**Sec. 601.** (a) The Secretary shall have power when he believes it necessary in order to determine whether any person has violated or is about to violate any provision of this Act (except title I or amendments made by this Act to other statutes) to make an investigation and in connection therewith he may enter such places and inspect such records and accounts and question such persons as he may deem necessary to enable him to determine the facts relative thereto. The Secretary may report to interested persons or officials concerning the facts required to be shown in any report required by this Act and concerning the reasons for failure or refusal to file such a report or any other matter which he deems to be appropriate as a result of such an investigation.

(b) For the purpose of any investigation provided for in this Act, the provisions of sections 9 and 10 (relating to the attendance of witnesses and the production of books, papers, and documents) of the Federal Trade Commission Act of September 16, 1914, as amended (15 U.S.C. 49, 50), are hereby made applicable to the jurisdiction, powers, and duties of the Secretary or any officers designated by him. as may be designated in such written agreement; and (C) such payments as are intended to be used for the purpose of providing pensions or annuities for employees are made to a separate trust which provides that the funds held therein can-

### **EXTORTIONATE PICKETING**

**Sec. 602.** (a) It shall be unlawful to carry on picketing on or about the premises of any employer for the purpose of, or as part of any conspiracy or in furtherance of any plan or purpose for, the personal profit or enrichment of any individual (except a bona fide increase in wages or other employee benefits) by taking or obtaining any money or other thing of value from such employer against his will or with his consent.

(b) Any person who willfully violates this section shall be fined not more than \$10,000 or imprisoned not more than twenty years, or both.

### **RETENTION OF RIGHTS UNDER OTHER FEDERAL AND STATE LAWS**

**Sec. 603.** (a) Except as explicitly provided to the contrary, nothing in this Act shall reduce or limit the responsibilities of

any labor organization or any officer, agent, shop steward, or other representative of a labor organization, or of any trust in which a labor organization is interested, under any other Federal law or under the laws of any State, and, except as explicitly provided to the contrary, nothing in this Act shall take away any right or bar any remedy to which members of a labor organization are entitled under such other Federal law or law of any State.

(b) Nothing contained in titles I, II, III, IV, V, or VI of this Act shall be construed to supersede or impair or otherwise affect the provisions of the Railway Labor Act, as amended, or any of the obligations, rights, benefits, privileges, or immunities of any carrier, employee, organization, representative, or person subject thereto; nor shall anything contained in said titles (except section 505) of this Act be construed to confer any rights, privileges, immunities, or defenses upon employers, or to impair or otherwise affect the rights of any person under the National Labor Relations Act, as amended.

### **EFFECT ON STATE LAWS**

**Sec. 604.** Nothing in this Act shall be construed to impair or diminish the authority of any State to enact and enforce general criminal laws with respect to robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, or assault which inflicts grievous bodily injury, or conspiracy to commit any of such crimes.

### **SERVICE OF PROCESS**

**Sec. 605.** For the purposes of this Act, service of summons, subpoena, or other legal process of a court of the United States upon an officer or agent of a labor organization in his capacity as such shall constitute service upon the labor organization.

### **ADMINISTRATIVE PROCEDURE ACT**

**Sec. 606.** The provisions of the Administrative Procedure Act shall be applicable to the issuance, amendment, or rescission of any rules or regulations, or any adjudication, authorized or required pursuant to the provisions of this Act.

### **OTHER AGENCIES AND DEPARTMENTS**

**Sec. 607.** In order to avoid unnecessary expense and duplication of functions among Government agencies, the Secretary may make such arrangements or agreements for cooperation or mutual assistance in the performance of his functions under this Act and the functions of any such agency as he may find to be practicable and consistent with law. The Secretary may utilize the facilities or services of any department, agency, or establishment of the United States or of any State or political subdivision of a State, including the services of any of its employees, with the lawful consent of such department, agency, or establishment; and each department, agency, or establishment of the United States is authorized and directed to cooperate with the Secretary and, to the extent permitted by law, to provide such information and facilities as he may request for his assistance in the performance of his functions under this Act. The Attorney General or his representative shall receive from the Secretary for appropriate action such evidence developed in the performance of his functions under this Act as may be found to warrant consideration for criminal prosecution under the provisions of this Act or other Federal law.

### **CRIMINAL CONTEMPT**

**Sec. 608.** No person shall be punished for any criminal contempt allegedly committed outside the immediate presence of the court in connection with any civil action prosecuted by the Secretary or any other person in any court of the United States under the provisions of this Act unless the facts constituting such criminal contempt are established by the verdict of the jury in a proceeding in the district court of the United States, which jury shall be chosen and empaneled in the manner prescribed by the law governing trial juries in criminal prosecutions in the district courts of the United States.

### **PROHIBITION ON CERTAIN DISCIPLINE BY LABOR ORGANIZATION**

**Sec. 609.** It shall be unlawful for any labor organization, or any officer, agent, shop steward, or other representative of a labor organization, or any employee thereof to fine, suspend, expel, or otherwise discipline any of its members for exercising



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any right to which he is entitled under the provisions of this Act. The provisions of section 102 shall be applicable in the enforcement of this section.

### DEPRIVATION OF RIGHTS UNDER ACT BY VIOLENCE

**Sec. 610.** It shall be unlawful for any person through the use of force or violence, to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of a labor organization for the purpose of interfering with or preventing the exercise of any right to which he is entitled under the provisions of this Act. Any person who willfully violates this section shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.

### SEPARABILITY PROVISIONS

**Sec. 611.** If any provision of this Act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

## Title VII—Amendments to the Labor Management Relations Act, 1947, as Amended

### FEDERAL-STATE JURISDICTION

**Sec. 701.** (a) Section 14 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection:

"(c)(1) The Board, in its discretion, may, by rule of decision or by published rules adopted pursuant to the Administrative Procedure Act, decline to assert jurisdiction over any labor dispute involving any class or category of employers, where, in the opinion of the Board, the effect of such labor dispute on commerce is not sufficiently substantial to warrant the exercise of its jurisdiction; Provided, That the Board shall not decline to assert jurisdiction over any labor dispute over which it would assert jurisdiction under the standards prevailing upon August 1, 1959.

"(2) Nothing in this Act shall be deemed to prevent or bar any agency or the courts of any State or Territory (including the Commonwealth of Puerto Rico, Guam, and the Virgin Islands), from assuming and asserting jurisdiction over labor disputes over which the Board declines, pursuant to paragraph (1) of this subsection, to assert jurisdiction."

(b) Section 3(b) of such Act is amended to read as follows:

"(b) The Board is authorized to delegate to any group of three or more members any or all of the powers which it may itself exercise. The Board is also authorized to delegate to its regional directors its powers under section 9 to determine the unit appropriate for the purpose of collective bargaining, to investigate and provide for hearings, and to determine whether a question of representation exists, and to direct an election or take a secret ballot under subsection (c) or (e) of section 9 and certify the results thereof, except that upon the filing of a request therefor with the Board by any interested person, the Board may review any action of a regional director delegated to him under this paragraph, but such a review shall not, unless specifically ordered by the Board, operate as a stay of any action taken by the regional director. A vacancy in the Board shall not impair the right of the remaining members to exercise all of the powers of the Board, and three members of the Board shall, at all times, constitute a quorum of the Board, except that two members shall constitute a quorum of any group designated pursuant to the first sentence hereof. The Board shall have an official seal which shall be judicially noticed."

### ECONOMIC STRIKERS

**Sec. 702.** Section 9(c)(3) of the National Labor Relations Act, as amended, is amended by amending the second sentence thereof to read as follows: "Employees engaged in an economic strike who are not entitled to reinstatement shall be eligible to vote under such regulations as the Board shall find are consistent with the purposes and provisions of this Act in any election conducted within twelve months after the commencement of the strike."

### VACANCY IN OFFICE OF GENERAL COUNSEL

**Sec. 703.** Section 3(d) of the National Labor Relations Act, as amended, is amended by adding after the period at

the end thereof the following: "In case of a vacancy in the office of the General Counsel the President is authorized to designate the officer or employee who shall act as General Counsel during such vacancy, but no person or persons so designated shall so act (1) for more than forty days when the Congress is in session unless a nomination to fill such vacancy shall have been submitted to the Senate, or (2) after the adjournment sine die of the session of the Senate in which such nomination was submitted."

### BOYCOTTS AND RECOGNITION PICKETING

**Sec. 704.** (a) Section 8(b)(4) of the National Labor Relations Act, as amended, is amended to read as follows:

"(4)(i) to engage in, or to induce or encourage any individual employed by any person engaged in commerce or in an industry affecting commerce to engage in, a strike or a refusal in the course of his employment to use, manufacture, process, transport, or otherwise handle or work on any goods, articles, materials, or commodities or to perform any services; or (ii) to threaten, coerce, or restrain any person engaged in commerce or in an industry affecting commerce, where in either case an object thereof is:

"(A) forcing or requiring any employer or self-employed person to join any labor or employer organization or to enter into any agreement which is prohibited by section 8(e);

"(B) forcing or requiring any person to cease using, selling, handling, transporting, or otherwise dealing in the products of any other producer, processor, or manufacturer, or to cease doing business with any other person, or forcing or requiring any other employer to recognize or bargain with a labor organization as the representative of his employees unless such labor organization has been certified as the representative of such employees under the provisions of section 9: Provided, That nothing contained in this clause (B) shall be construed to make unlawful, where not otherwise unlawful, any primary strike or primary picketing;

"(C) forcing or requiring any employer to recognize or bargain with a particular labor organization as the representative of his employees if another labor organization has been certified as the representative of such employees under the provisions of section 9;

"(D) forcing or requiring any employer to assign particular work to employees in a particular labor organization or in a particular trade, craft, or class rather than to employees in another labor organization or in another trade, craft, or class, unless such employer is failing to conform to an order or certification of the Board determining the bargaining representative for employees performing such work:

Provided, That nothing contained in this subsection (b) shall be construed to make unlawful a refusal by any person to enter upon the premises of any employer (other than his own employer), if the employees of such employer are engaged in a strike ratified or approved by a representative of such employees whom such employer is required to recognize under this Act: Provided further, That for the purposes of this paragraph (4) only, nothing contained in such paragraph shall be construed to prohibit publicity, other than picketing, for the purpose of truthfully advising the public, including consumers and members of a labor organization, that a product or products are produced by an employer with whom the labor organization has a primary dispute and are distributed by another employer, as long as such publicity does not have an effect of inducing any individual employed by any person other than the primary employer in the course of his employment to refuse to pick up, deliver, or transport any goods, or not to perform any services, at the establishment of the employer engaged in such distribution;"

(b) Section 8 of the National Labor Relations Act, as amended, is amended by adding at the end thereof the following new subsection:

"(e) It shall be an unfair labor practice for any labor organization and any employer to enter into any contract or agreement, express or implied, whereby such employer ceases or refrains or agrees to cease or refrain from handling, using, selling, transporting or otherwise dealing in any of the products of any other employer, or to cease doing business with any other person, and any contract or agreement entered into heretofore or hereafter containing such an agreement shall be to such extent unenforceable and void: Provided, That nothing in this subsection (e) shall apply to an agreement between a



**BUILDING AND CONSTRUCTION INDUSTRY**

labor organization and an employer in the construction industry relating to the contracting or subcontracting of work to be done at the site of the construction, alteration, painting, or repair of a building, structure, or other work: Provided further, That for the purposes of this subsection (e) and section 8(b)(4)(B) the terms 'any employer', 'any person engaged in commerce or an industry affecting commerce', and 'any person' when used in relation to the terms 'any other producer, processor, or manufacturer', 'any other employer', or 'any other person' shall not include persons in the relation of a jobber, manufacturer, contractor, or subcontractor working on the goods or premises of the jobber or manufacturer or performing parts of an integrated process of production in the apparel and clothing industry: Provided further, That nothing in this Act shall prohibit the enforcement of any agreement which is within the foregoing exception."

(c) Section 8(b) of the National Labor Relations Act, as amended, is amended by striking out the word "and" at the end of paragraph (5), striking out the period at the end of paragraph (6), and inserting in lieu thereof a semicolon and the word "and", and adding a new paragraph as follows:

"(7) to picket or cause to be picketed, or threaten to picket or cause to be picketed, any employer where an object thereof is forcing or requiring an employer to recognize or bargain with a labor organization as the representative of his employees, or forcing or requiring the employees of an employer to accept or select such labor organization as their collective bargaining representative, unless such labor organization is currently certified as the representative of such employees:

"(A) where the employer has lawfully recognized in accordance with this Act any other labor organization and a question concerning representation may not appropriately be raised under section 9(c) of this Act,

"(B) where within the preceding twelve months a valid election under section 9(c) of this Act has been conducted, or

"(C) where such picketing has been conducted without a petition under section 9(c) being filed within a reasonable period of time not to exceed thirty days from the commencement of such picketing: Provided, That when such a petition has been filed the Board shall forthwith, without regard to the provisions of section 9(c)(1) or the absence of a showing of a substantial interest on the part of the labor organization, direct an election in such unit as the Board finds to be appropriate and shall certify the results thereof: Provided further, That nothing in this subparagraph (C) shall be construed to prohibit any picketing or other publicity for the purpose of truthfully advising the public (including consumers) that an employer does not employ members of, or have a contract with, a labor organization, unless an effect of such picketing is to induce any individual employed by any other person in the course of his employment, not to pick up, deliver or transport any goods or not to perform any services.

"Nothing in this paragraph (7) shall be construed to permit any act which would otherwise be an unfair labor practice under this section 8(b)."

(d) Section 10(1) of the National Labor Relations Act, as amended, is amended by adding after the words "section 8(b)," the words "or section 8(e) or section 8(b)(7)," and by striking out the period at the end of the third sentence and inserting in lieu thereof a colon and the following: "Provided further, That such officer or regional attorney shall not apply for any restraining order under section 8(b)(7) if a charge against the employer under section 8(a)(2) has been filed and after the preliminary investigation, he has reasonable cause to believe that such charge is true and that a complaint should issue."

(e) Section 303(a) of the Labor Management Relations Act, 1947, is amended to read as follows:

"(a) It shall be unlawful, for the purpose of this section only, in an industry or activity affecting commerce, for any labor organization to engage in any activity or conduct defined as an unfair labor practice in section 8(b)(4) of the National Labor Relations Act, as amended."

**Sec. 705.** (a) Section 8 of the National Labor Relations Act, as amended by section 704(b) of this Act, is amended by adding at the end thereof the following new subsection:

"(f) It shall not be an unfair labor practice under subsections (a) and (b) of this section for an employer engaged primarily in the building and construction industry to make an agreement covering employees engaged (or who, upon their employment, will be engaged) in the building and construction industry with a labor organization of which building and construction employees are members (not established, maintained, or assisted by any action defined in section 8(a) of this Act as an unfair labor practice) because (1) the majority status of such labor organization has not been established under the provisions of section 9 of this Act prior to the making of such agreement, or (2) such agreement requires as a condition of employment, membership in such labor organization after the seventh day following the beginning of such employment or the effective date of the agreement, whichever is later, or (3) such agreement requires the employer to notify such labor organization of opportunities for employment with such employer, or gives such labor organization an opportunity to refer qualified applicants for such employment, or (4) such agreement specifies minimum training or experience qualifications for employment or provides for priority in opportunities for employment based upon length of service with such employer, in the industry or in the particular geographical area: Provided, That nothing in this subsection shall set aside the final proviso to section 8(a)(3) of this Act: Provided further, That any agreement which would be invalid, but for clause (1) of this subsection, shall not be a bar to a petition filed pursuant to section 9(c) or 9(e)."

(b) Nothing contained in the amendment made by subsection (a) shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

**PRIORITY IN CASE HANDLING**

**Sec. 706.** Section 10 of the National Labor Relations Act, as amended, is amended by adding at the end thereof a new subsection as follows:

"(m) Whenever it is charged that any person has engaged in an unfair labor practice within the meaning of subsection (a)(3) or (b)(2) of section 8, such charge shall be given priority over all other cases except cases of like character in the office where it is filed or to which it is referred and cases given priority under subsection (l)."

**EFFECTIVE DATE OF AMENDMENTS**

**Sec. 707.** The amendments made by this title shall take effect sixty days after the date of the enactment of this Act and no provision of this title shall be deemed to make an unfair labor practice, any act which is performed prior to such effective date which did not constitute an unfair labor practice prior thereto.

And the House agree to the same.

GRAHAM A. BARDEN,  
PHIL M. LANDRUM,  
FRANK THOMPSON, JR.,  
CARROLL D. KEARNS,  
WILLIAM H. AYRES,  
ROBERT P. GRIFFIN,  
*Managers on the Part of the House.*  
JOHN F. KENNEDY,  
PAT MCNAMARA,  
JENNINGS RANDOLPH,  
BARRY GOLDWATER,  
EVERETT M. DIRKSEN,  
WINSTON L. PROUTY,  
*Managers on the Part of the Senate.*

*Additional copies of this reprint of the labor bill are available on request to the International Headquarters.*



# LAUGH LOAD



## Keeps Her Guessing

A middle-aged railroad conductor dropped by the perfume counter, picked up a sample atomizer and gave himself a couple of squirts.

With a wink at the surprised saleslady, he remarked, "Like to keep my wife guessing," and went on his way.

## Bad Shape

Boss—I thought you were ill yesterday, Jones.

Jones—I was sir.

Boss—You didn't look very sick when I saw you at the rack track.

Jones—You should have seen me after the fourth race, sir!

## Of All Places

"For months," said the bridge-loving club woman, "I couldn't imagine where my husband spent his evenings."

"And then what happened?" breathlessly asked her friend.

"Well," she said, "one evening I went home and there he was."

## Improvement

Many a television program would have a happier ending if we just had the energy to get up and turn it off sooner.

## Keen Judge

"Young man," said the old man severely, "when I was your age I, too, thought I knew it all. Now I have reached the conclusion that I know very little."

"Great Scott!" exclaimed the lad, in astonishment. "Has it taken you this long to find that out? Why, I knew it the minute I saw you."

## Quite A Cure

"Flattery is a splendid cure for stiff necks," said John.

"Why?" asked his friend.

"There are few heads it won't turn."

## Generous

"Ye saved me from drowning, lad die," said Macpherson, "and I wad gladly gie ye a quarter, but I've only a 50c piece."

"Never mind about that," replied his rescuer. "Jump in again."

## Good Question

A story now being told of life behind the Iron Curtain:

Josef—"If the Western powers attack us, our agents will carry atom bombs concealed in suitcases to Paris, London, Rome, New York and all the other big cities of the capitalist imperialists and destroy them."

Petrov—"I guess we'll have enough bombs by then, but how about suitcases?"

## Just His Style

The superintendent's boy, Johnnie, told his mother he wanted to become a preacher.

"Why Johnnie," said his mother, "that's wonderful. What made you decide that?"

Johnnie shrugged. "Well, I've got to go to church all my life anyway, and I think it's harder to sit still and be quiet than to stand up and holler."

## Lësser Evil

"Oh, Henry," cried the irritated wife, "that woman next door has a hat just like my new one."

"Now I suppose you want to buy another one," replied the resigned man.

"Well, it would be cheaper than moving."

## Play It Safe

An undertaker wired a man, informing him of the death of his mother-

in-law. He asked if she should be cremated, embalmed or just buried. After a short time he got the following answer: "All three. Don't take any chances."

## Strictly From Hunger

"Now tell me," said the personnel manager, "just why you want to work for us."

"Well, sir," the applicant answered, "I got sick and went to my doctor. He gave me five pills and told me to take one after each meal. That was three days ago and I still have four pills left."

## Accommodating

The clanging noise made by the garbage collectors aroused the family. The housewife suddenly remembered she had forgotten to put out the garbage. With her hair in curlers and her face shiny with various creams, she sleepily leaned out the window and called to the collectors. "Am I too late for the garbage?"

"Certainly not," replied one of the collectors. "Hop right in."

## All Settled

"Your new boy friend has just asked me if he may marry you, and I have given my consent," dad said.

"Oh but I couldn't possibly leave mother!"

"Don't worry—she can go with you."

## Smart Farmer

The farmer from Wisconsin was in Chicago for the first time. From the looks of it, the "slickers" weren't pulling too much wool over his eyes. He was in a West Madison Street bar drinking beer when he finally made his small protest against city ways.

Calling the barkeep over, he asked, "How much beer do you sell in a week?"

"Oh, about 40 kegs," the man replied, his eyes glinting at the prospect of belittling the country boy.

"I know how you could sell 80 kegs instead."

"Eighty kegs?" the man behind the bar grinned.

"How?"

"Simple. Just start fillin' up the glasses."



# FIFTY YEARS AGO

## in Our Magazine



(From Teamsters' Magazine, October, 1909)

### State of the Union—1909

**"NEVER** in our history have things looked better."

General President Daniel Tobin was glowing with optimism as he finished a swing of our eastern local unions. And he had a right to be optimistic about the state of our union.

The ugly business of dissension within our ranks, particularly in the New York and Chicago areas, was settled and now history. Employment was at an all-time high. No major strikes or lockouts were in progress.

"Our local unions and their officers are sending in daily the most encouraging reports. From appearances we believe that we are on the eve of three or four years of genuine prosperity in this country. Our people should endeavor to take advantage of the situation and attempt to increase their membership. Local unions should endeavor to encourage their membership to attend their meetings. A spirit of peace and good will should prevail among our members. We should build up now in order that we may be in a position to better our conditions in the near future when making just demands on our employers," Tobin wrote in the September, 1909, issue of **THE TEAMSTER**.

Tobin was now pointing towards the western states which offered a tantalizing field ripe for organizing. Already several charters had been issued to western locals and our president sensed the time

was "now" to begin organizing west of the Rockies.

But before a move was made to organize the unorganized, President Tobin had a word of warning for those locals who did not have their own houses in order and who would present a shabby and unattractive picture for the non-union worker interested in joining our organization.

"The time to prepare for battle is during the time of peace. If you have an officer that is not doing his full duty, he should be removed. If your expenses are greater than your income they should be reduced. A local union should have a treasury and the treasury should not be used except in furthering the interests of the principles of the labor movement—shortening the hours of work and raising the standard of wages. Our local unions are what we make them, by our conduct as men and by our loyalty to our employers, and by the justice we mete out to others. Union men should be better than non-union men," Tobin counseled.

### A Pit of Infamy

**A** BRIEF article reprinted from the "Buffalo Republic" and appearing in our magazine in September, 1909, sheds light on some of the appalling working conditions facing many American workers of that day.

The article was written by a Catholic priest living near the site of a steel car manufacturing plant on the outskirts of Pittsburgh.

The priest, Father A. F. Toner had lived among his people for nineteen years. At the time his article appeared in the above paper, 10,000 workers were out on strike. His concern for the working man led him to write of the shocking conditions at this plant—much in the style and tradition of two earlier books that had rocked this country several years before. They were, "How the Other Half Lives," published in 1890 and written by Jacob Riis, and "A Living Wage" written by a fellow priest, Rev. John A. Ryan, and published in 1906. Both books exposed the sordid working conditions of many factory workers and called for remedial legislation that would

provide workers with a decent standard of living.

In the columns below is an eyewitness account of conditions at the Pennsylvania plant as witnessed by Father Toner:

"For a few years after the plant was opened, members of the company visited me, had meals at my house and were on the most friendly terms. I was allowed to enter the plant at my will until a few years ago, but I saw too much of the malicious crime, perpetrated daily, and the gates were closed to me.

"The place is a pit of infamy where men are driven lower than the degradation of slaves and compelled to sacrifice their wives or daughters to the villainous foremen and little bosses.

"Scores of men were being killed and no record made of their deaths or any legitimate disposition made of their bodies. It is my impression that they are never taken outside the plant.

"I have made frequent attempts to get to the company and offer the cemetery of my church for free burial of men whose families are unable to pay the funeral expenses. I was turned away with abusive remarks, and told that there is no need of my cemetery.

"The bosses compel the workmen to send cases of beer and boxes of provisions to their homes every week to hold their positions. The company keeps the men so cowed down that they have no spirit and recognize fewer rights than a slave."





# Fresh and Pure



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